



Journal of the Senate

Number 14—Regular Session

Wednesday, April 26, 2006

CONTENTS

Bills on Third Reading	544, 549, 577
Call to Order	541, 557
Co-Introducers	608
Committee Substitutes, First Reading	581
Enrolling Reports	607
Executive Business, Suspensions	601
House Messages, Final Action	607
House Messages, First Reading	602
Introduction and Reference of Bills	581
Moment of Silence	544
Motions	577
Motions Relating to Committee Meetings	577
Motions Relating to Committee Reference	577
Point of Order	560
Point of Order Ruling	562
Reports of Committees	577
Resolutions	541
Senate Pages	608
Special Order Calendar	547, 557

[See end of Journal for Bill Action Summary]

CALL TO ORDER

The Senate was called to order by President Lee at 10:17 a.m. A quorum present—37:

Mr. President	Diaz de la Portilla	Posey
Alexander	Dockery	Pruitt
Argenziano	Fasano	Rich
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Baker	Hill	Siplin
Bennett	Jones	Smith
Bullard	King	Villalobos
Campbell	Klein	Webster
Carlton	Lynn	Wilson
Clary	Margolis	Wise
Constantine	Miller	
Crist	Peaden	

Excused: Senators Garcia and Lawson until 10:30 a.m.; Senator Dawson until 10:40 a.m.; Senator Smith at 2:00 p.m.; Senator Carlton periodically for the purpose of working on the appropriations bills

PRAYER

The following prayer was offered by the Rev. James Golden, Ward Temple A.M.E. Church of Bradenton:

Good Morning! Some great master of melody and lyrics once penned these words:

"I believe that somehow,
in the darkest night,
the smallest prayer can still be heard;
and I believe that someone in the great somewhere,
hears every word."

Let us pray! to the great someone! in the great somewhere!

Eternal, Almighty, Creator God, we stop now in humble awareness that your blessing of this day's work is necessary if we hope for success in our endeavors here on behalf of your people. But before we go any further in our petition, we just want to say thank you for what you have already done this day.

First, we thank you for not letting our bed sheets last night become our winding cloth; our mattresses, our cooling boards; and our bedrooms, the place where death overtook us.

Second, we thank you for our early rising this morning, and for touching our eyes with opening that we might see the beauty of another day that we have never seen before. We thank you for the opportunity to rejoice, to be glad in it, and to use it in a way that is pleasing to you.

Finally, we thank you for moving us by your grace and mercy from one good degree of grace to another, so that we might assemble here at this hour clothed in our right minds, and possessing a reasonable portion of good health and good humor.

Thank you for your traveling mercy that has brought us from East Palatka, West Palm Beach, from South Bay and North Port, and from each and every other place, great and small, represented here today by your stewards of the public's trust.

Now, dear God, we pray for your presence throughout this day. Be in all that we say, all that we hear, all that we think, and all that we feel. Keep us from unkind words, unkept promises, unjust deeds, and unwise silences. Allow us all to give and to receive a goodly measure of respect, thoughtfulness, sensitivity, and dignity.

During the distrusting moments of this day, give us discernment to protect us. During the frustrating moments, give us vision to guide us. During the confusing moments, give us wisdom to empower us. During the tearful moments of this day, give us compassion to ennoble us. During the fearful moments, give us courage to sustain us. During the doubtful moments, give us faith to strengthen us. During the stressful moments, give us hope to unite us. During the painful and hurtful moments, give us a deep and abiding love to heal us.

And together, let every satisfied soul say: Amen! Amen! Amen!

PLEDGE

Senate Pages Demi Busatta of Cape Coral; Paul Sellers and Britney French of Tallahassee; and Arianna Knox of Quincy, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Carla Holloman, sponsored by Senator Lawson, as doctor of the day. Dr. Holloman specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Saunders—

By Senator Saunders—

SR 628—A resolution recognizing and commending Suzy Nothhouse.

WHEREAS, Suzy Nothhouse, an 85-year old resident of Estero, Florida, has maintained physical fitness and a competitive spirit in persisting with her passion for the sport of swimming, and

WHEREAS, Ms. Nothhouse competed in the Senior Olympics Summer National Games in Pittsburgh, in the 85-89 age division, winning a bronze medal in the 50-yard breast stroke and finishing sixth and eighth respectively, in the 50-yard backstroke and freestyle, and

WHEREAS, Ms. Nothhouse prepared for the Senior Olympics by swimming a quarter-mile 6 days a week in the 4 weeks prior to the competition, and

WHEREAS, Ms. Nothhouse's competitive achievements bring great honor and inspiration to the residents of Estero and the State of Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes and commends Suzy Nothhouse for her exemplary competitive achievement in winning a bronze medal in swimming at the Senior Olympics Summer National Games, demonstrating that age need not impede an individual's fitness or desire to compete and succeed in sports.

BE IT FURTHER RESOLVED that a copy of this resolution, with Seal of the Senate affixed, be presented to Suzy Nothhouse as a tangible token of the sentiments of the Florida Senate.

—**SR 628** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 630—A resolution recognizing and commending Laurie Nimmons.

WHEREAS, Laurie Nimmons, a teaching professional at Admiral Lehigh Golf Resort in Lehigh Acres, exemplifies the virtues of physical fitness and a competitive spirit, having persisted with her passion for playing and teaching golf after receiving two artificial knees, two artificial hips, two artificial shoulders, and one life-saving donor kidney, and

WHEREAS, Laurie demonstrated her championship quality competing against 1,500 competitors from around the world to win a Gold Medal in Golf in the XV Summer World Transplant Games in London, Ontario, Canada, and

WHEREAS, the Transplant Games, a competition for organ-transplant recipients, serves the dual role of providing Olympic-style competition for organ-transplant recipients while also raising awareness of the need for organ donation, and

WHEREAS, Laurie's competitive spirit and achievements bring great honor to the residents of Lehigh Acres and the State of Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes and commends Laurie Nimmons for her extraordinary competitive achievements in winning a Gold Medal in Golf at the XV Summer World Transplant Games, showing that physical challenges cannot impede a person's desire to achieve his or her goals and demonstrating the great need for and importance of organ donation.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Laurie Nimmons as a tangible token of the sentiments of the Florida Senate.

—**SR 630** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 632—A resolution recognizing the Ospreys 70-plus Softball Team on their championship victories in the International Softball Federation World Cup title in Manassas, Virginia.

WHEREAS, on June 19, 2005, the Ospreys, one of Cape Coral's oldest softball teams, defeated Moe's Raiders of Sayreville, New Jersey, by a score of 18-9 to win the International Federation World Cup title, and

WHEREAS, over the course of five games the Ospreys played to clinch the championship, the team scored 65 runs, made only five errors, and had only 22 runs scored against them, and

WHEREAS, the Ospreys have been organized since 1990 and were World Champions in 1998 in Aurora, Colorado, as a 65-plus team; were State Champions in 2000 in Lakeland, Florida; and were participants in the Easton Winter Nationals at Cape Coral, Florida, in 2004, and

WHEREAS, the Ospreys' team members participating in the 2005 International Softball Federation World Cup were George Barnes, Hugh Brotherton, Pete Cecchini, Robert D'Amadio, Sherwood Hutcherson, Jack Ostrander, Richard Perkins, Robert Rogers, Richard Spencer, Herb Thal, Bucky Winfrey, and Stanley Young, and

WHEREAS, the Ospreys are an inspiration to the people of the State of Florida and signify to us all that age need not impede determination, athleticism, or the competitive spirit, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate congratulates and commends the Ospreys 70-plus Softball Team on a magnificent sustained performance, and wishes them continued success in their future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to each member of the Ospreys Team as a tangible token of the sentiments of the Florida Senate.

—**SR 632** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 1116—A resolution honoring Willard Cooper, Putnam County high school football coach.

WHEREAS, Willard Cooper, who coached for a total of 18 years, 13 years with Central Academy and 5 years with Central High, and was twice named Big 9 East Coach of the Year, remains one of the longest-serving football coaches in Putnam County, and

WHEREAS, "Hey, Bulldog!" will forever be recalled affectionately as the standard greeting used by Coach Cooper to players and students alike, and

WHEREAS, Coach Cooper's expert coaching skills enabled him to develop the talents of a number of his students, including David Daniels, who won a football scholarship to Florida A&M University and went on to play with the Oakland Raiders; Grady Smith, who later excelled as a runner at Florida A&M University and set a world track record; and Horace Jefferson, a three-sport star, who has coached basketball at St. Johns River Community College since 1994, and

WHEREAS, Coach Cooper's wisdom, outstanding character, and exceptional determination enabled him to guide and inspire his team members and many other students through the difficult years of desegregation, and

WHEREAS, Willard Cooper not only taught young people lessons in the game of football, but more importantly taught them lessons in the game of life, earning him the respect and admiration of all who know him, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate honors Willard Cooper, a cherished member of his community who, through his work as a high school football coach, dedicated his career to improving the lives of all students.

—**SR 1116** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 2146—A resolution honoring Lillie Belle Jones and her contributions to the life and culture of Palatka, Florida.

WHEREAS, Mrs. Lillie Belle Jones, or “Miss Belle,” as she is still affectionately known, was for many years the proprietor of Granger’s Cafe in Palatka, Florida, an anchor of Palatka’s black business district, and

WHEREAS, Miss Belle, one of eight children born to Mr. and Mrs. Willie Granger, Sr., began working in Granger’s Cafe in 1946 when her parents opened the business and eventually took over ownership and operation of the cafe until it closed its doors in 1989, and

WHEREAS, Granger’s Cafe prided itself on welcoming all customers, black and white alike; on serving only one kind of food - Soul Food; and on providing a warm and congenial atmosphere for community socializing, and

WHEREAS, Mrs. Lillie Belle Jones continues to be held in the highest regard as a cherished member of the Palatka community and has earned the respect and admiration of all who have known her, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate salutes Mrs. Lillie Belle Jones as an individual of outstanding character and exceptional determination and commends her on her success as a businesswoman.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mrs. Lillie Belle Jones as a tangible token of the sentiments of the Florida Senate.

—**SR 2146** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 2806—A resolution recognizing April 2006 as “Cancer Control Awareness Month” in Florida.

WHEREAS, cancer will strike approximately one out of two men and about one out of every three women in the course of their lifetimes, and

WHEREAS, cancer accounts for one out of every four deaths, and is the leading cause of death, and

WHEREAS, the American Cancer Society estimates that in 2006 more than 98,960 new cases of cancer will be diagnosed in Florida and more than 39,930 Floridians will die from cancer, and

WHEREAS, many cancers can be prevented by lifestyle changes or cured if detected early and treated promptly, and

WHEREAS, as many as one-third of the cancer deaths expected this year will be related to nutrition, physical inactivity, obesity, and other lifestyle factors, and thus might have been prevented, and

WHEREAS, 29 percent of all cancer deaths and 87 percent of all lung cancer deaths are caused by smoking cigarettes or other tobacco products, and

WHEREAS, the 5-year survival rate for all cancers combined is 65 percent, but survival rates may increase significantly for certain cancers such as breast, cervical, and colorectal cancers when they are detected and treated early, and

WHEREAS, rates of cancer incidence and death in Florida may be significantly reduced with increased awareness of the American Cancer Society’s cancer-screening guidelines and compliance with those screening guidelines, and

WHEREAS, promotion of “Cancer Control Awareness Month” and statewide cancer control initiatives, such as the Florida Dialogue on Cancer sponsored by the American Cancer Society, may assist Florida in significantly reducing the burden of cancer which Floridians and the state face, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the month of April 2006 as “Cancer Control Awareness Month” in Florida and urges all Floridians to understand the risks associated with cancer, change behaviors that increase their cancer risks, and follow the American Cancer Society’s cancer-screening guidelines.

—**SR 2806** was introduced, read and adopted by publication.

At the request of Senator Lawson—

By Senator Lawson—

SR 2836—A resolution recognizing the accomplishments of Richard J. Carmichael in amateur and professional motorcycle racing.

WHEREAS, Richard J. Carmichael, born in Clearwater in November 1979, began motorcycle racing when he was 5 years old after receiving a Tri Zinger three-wheel motorcycle from his father, and,

WHEREAS, after practicing for only 1 month, Ricky entered his first race, placed 5th, and continued to participate in peewee three-wheeler races in Dade City, where, at age 6, he won first-place overall in his age group for 1986, based on 15 first-place wins, and

WHEREAS, from then on, Ricky compiled an astonishing record of victories in motorcycle racing ‘minis,’ received his first contract with Team Kawasaki at the age of 7, and accumulated 8 amateur national titles by age 9, and

WHEREAS, in 1990, Ricky won the World minis in Las Vegas and the mini Olympics in Gainesville, and continued his amazing streak of victories, collecting 67 amateur championships by the time he began competing as a professional in 1996, and

WHEREAS, in professional competition he began by winning the AMA 125cc Chevrolet Motocross Championship in 1997; the 125cc Supercross East Championship and the AMA 125cc Chevrolet Championship in 1998; and the AMA Chevrolet Motocross Championship again in 1999, and

WHEREAS, in 2000, Ricky led team USA to a win in the Motocross Des Nations, and continued to win multiple AMA championships every year until, in 2005, he accomplished a grand slam that no other motorcycle racer had done before, winning the AMA 250cc Motocross Championship, the AMA 250cc Supercross Series, the THQ World Supercross GP, the Motocross Des Nations, and the U.S. Open of Supercross, and was named the AMA Pro Racing Speed Channel Athlete of the Year for the fourth time, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate commends the outstanding accomplishments of Richard (Ricky) J. Carmichael in the field of motorcycle and motocross racing and acknowledges the valuable and honorable recognition he has brought to the State of Florida through his consistently excellent performance and fine sportsmanship.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Ricky Carmichael as a token of the sentiments of the Florida Senate.

—**SR 2836** was introduced, read and adopted by publication.

At the request of Senator Klein—

By Senator Klein—

SR 2846—A resolution expressing appreciation to the American Jewish Committee for its 100 years of leadership in public service and commitment to strengthening understanding and communication across religious lines.

WHEREAS, the American Jewish Committee, established in 1906, has a long and distinguished record of rendering services of great value to the people of Florida, the United States, and the world, and

WHEREAS, the American Jewish Committee celebrates a century of leadership advocating for the security and vitality of the Jewish people and for democratic and pluralistic societies worldwide where all minorities can thrive with dignity, enhancing the quality of American Jewish life by helping to ensure Jewish continuity and deepening ties between American and Israeli Jews, and

WHEREAS, the American Jewish Committee has supported community safety, international collaboration and understanding, and first amendment and human rights for all people through its 33 United States offices and 18 international posts, and

WHEREAS, the American Jewish Committee has provided exemplary support and education for our young people through its outreach centers, scholarships, internships, and fellowships, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate offers sincere thanks, congratulations, and wishes for continued success to the American Jewish Committee for its 100 years of dedicated, effective, and untiring public service work, which has made a real difference in the lives of countless Floridians.

—**SR 2846** was introduced, read and adopted by publication.

MOMENT OF SILENCE

The President recognized Senator Rich who asked the Senate to observe a moment of silence for Daniel Wultz who was injured by a terrorist attack in Israel.

BILLS ON THIRD READING

On motion by Senator Bennett, by two-thirds vote **HB 737** was withdrawn from the Committees on Domestic Security; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

On motion by Senator Bennett, by two-thirds vote—

HB 737—A bill to be entitled An act relating to tax benefits related to catastrophic emergencies; amending s. 212.055, F.S.; including as infrastructure any fixed capital expenditure or fixed capital outlay associated with the improvement of certain private facilities made available as public shelters or staging areas for emergency response equipment during emergencies declared by the state or local government; limiting improvements to those necessary to meet current standards for public emergency evacuation shelters; requiring the owner to enter into a written contract with the local government providing improvement funding; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1018** and read the second time by title. On motion by Senator Bennett, by two-thirds vote **HB 737** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Crist	Peadar
Alexander	Diaz de la Portilla	Posey
Argenziano	Dockery	Pruitt
Aronberg	Fasano	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Villalobos
Campbell	Klein	Webster
Carlton	Lynn	Wilson
Clary	Margolis	Wise
Constantine	Miller	

Nays—None

Vote after roll call:

Yea—Garcia, Lawson

Consideration of **CS for CS for SB 656** and **CS for SB 1680** was deferred.

CS for CS for SB 2060—A bill to be entitled An act relating to the practice of architecture and interior design; amending s. 481.203, F.S.; defining the term “responsible supervising control”; amending s. 481.205, F.S.; authorizing the Board of Architecture and Interior Design to adopt certain rules; amending s. 481.223, F.S.; authorizing certain architects to use the title “Architect, Retired”; authorizing certain interior designers to use the title “Interior Designer, Retired”; providing an effective date.

—was read the third time by title.

On motion by Senator Clary, **CS for CS for SB 2060** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Posey
Alexander	Dockery	Pruitt
Argenziano	Fasano	Rich
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Baker	Hill	Siplin
Bullard	Jones	Smith
Campbell	Klein	Villalobos
Carlton	Lynn	Webster
Clary	Margolis	Wilson
Constantine	Miller	Wise
Crist	Peadar	

Nays—None

Vote after roll call:

Yea—Garcia, Lawson

Consideration of **CS for SB 646** was deferred.

HB 699—A bill to be entitled An act relating to health care practitioners; amending s. 456.031, F.S.; revising requirements for instruction of certain health care practitioners concerning domestic violence; amending s. 456.033, F.S.; revising requirements for instruction of certain health care practitioners concerning HIV and AIDS; amending s. 456.041, F.S.; requiring advanced registered nurse practitioners to submit protocols as part of practitioner profiles to the Department of Health; amending s. 458.319, F.S.; eliminating an option for medical physicians to complete continuing education courses in end-of-life care in lieu of continuing education in AIDS/HIV; amending s. 458.348, F.S.; providing requirements for the supervision of certain health care practitioners by physicians; providing that the section is self-executing; repealing s. 459.008(5), F.S.; eliminating an option for osteopathic physicians to complete continuing education courses in end-of-life care in lieu of continuing education in AIDS/HIV; creating s. 459.025, F.S.; providing requirements for the supervision of certain health care practitioners by osteopathic physicians; requiring physicians or osteopathic physicians to supervise certain persons performing electrolysis using laser or light-based hair removal or reduction; providing that the section is self-executing; amending s. 464.012, F.S.; requiring certain advanced registered nurse practitioners to file protocols with the Board of Nursing; specifying requirements for the protocols; requiring the Office of Program Policy Analysis and Government Accountability to review and identify specified issues and report its findings; providing an effective date.

—was read the third time by title.

On motion by Senator Peadar, **HB 699** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Baker

Bennett	Haridopolos	Rich
Bullard	Hill	Saunders
Campbell	Jones	Sebesta
Carlton	King	Siplin
Clary	Klein	Smith
Constantine	Lynn	Villalobos
Crist	Margolis	Webster
Diaz de la Portilla	Miller	Wilson
Dockery	Peaden	Wise
Fasano	Posey	
Geller	Pruitt	

Nays—None

Vote after roll call:

Yea—Garcia, Lawson

Consideration of **CS for CS for SB 1112** was deferred.

CS for CS for SB 1090—A bill to be entitled An act relating to the regulation of wells; amending s. 373.323, F.S.; authorizing licensed water well contractors to facilitate performance of additional work incidental to the construction, repair, or abandonment of a water well; amending s. 373.324, F.S.; requiring the Department of Environmental Protection to include an administrative fee in its license-renewal method prescribed by rule; waiving continuing education requirements for license renewal of certain water well contractors; providing exemptions from continuing education requirements for water well contractors on active military duty and their spouses; amending s. 373.333, F.S.; increasing the amount of the administrative fine a water management district may impose for certain water well contracting violations; allowing the water management district to impose an administrative fine against unlicensed water well contractors; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for CS for SB 1090** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Wilson
Clary	Lawson	Wise
Constantine	Lynn	
Crist	Margolis	

Nays—None

Vote after roll call:

Yea—Webster

CS for SB 876—A bill to be entitled An act relating to building designations; designating the Florida Center for Solid and Hazardous Waste Management as the “William W. ‘Bill’ Hinkley Center for Solid and Hazardous Waste Management”; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for SB 876** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

HB 121—A bill to be entitled An act relating to transportation facility designations; designating Osun’s Village and African Caribbean Cultural Arts Corridor in Miami-Dade County; designating Burl Marler Walkway in Okaloosa County; designating Dr. Phillip A. Payne Bridge in Escambia County; designating Carlos C. Lopez-Aguilar Way, Reverend Samuel Atchison Boulevard, Toussaint L’Ouverture Boulevard, Reverend Gerard Jean-Juste Boulevard, and the Adam Leigh Cann Building in Miami-Dade County; repealing s. 6, ch. 2003-296, Laws of Florida, relating to a prior designation of Toussaint L’Ouverture Boulevard; A.B. Martin Street, and designating Senator N. Ray Carroll Memorial Interchange in Osceola County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Dockery, **HB 121** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

CS for CS for SB 360—A bill to be entitled An act relating to the Commission on Capital Cases; amending s. 27.701, F.S.; specifying that the capital collateral regional counsels are a part of the legislative branch; providing for the appointment of the capital collateral regional counsels by the President of the Senate and the Speaker of the House of Representatives; amending s. 27.702, F.S.; removing the requirement that the Justice Administrative Commission provide administrative support to the capital collateral regional counsels; amending s. 27.709, F.S.; specifying that the Commission on Capital Cases is a part of the legislative branch; authorizing the Commission on Capital Cases to sponsor continuing legal education programs devoted specifically to capital cases; amending s. 27.710, F.S.; specifying criteria that a private attorney must satisfy in order to be eligible to be appointed as counsel in a postconviction capital collateral proceeding; providing that a judge may appoint an attorney who does not meet the appointment criteria if exceptional circumstances exist; providing that an attorney may be removed from the capital collateral registry if the attorney does not meet the criteria; directing the executive director of the commission to remove an attorney from the registry if the attorney fails to timely file an executed contract; requiring a private attorney appointed by a court to

represent a capital defendant to submit a report each quarter to the commission; requiring that the executive director remove an attorney from the registry if the attorney does not submit the report within a specified time; requiring that an attorney make reasonable efforts to assist the person under a sentence of death in finding an attorney under certain circumstances; amending s. 27.711, F.S.; providing that an attorney may submit to the Chief Financial Officer for approval a proposed budget as an alternative to the statutory attorney's fees for representing a capital defendant; requiring the attorney to accept representation and execute a fixed-fee contract if the proposed budget is approved; providing that an attorney who is listed on the registry and representing at least one capital defendant is entitled to tuition and expenses for continuing legal education courses; providing that an attorney may represent no more than 7 inmates in capital postconviction cases at any one time; authorizing a trial judge to award fees exceeding those set by law; requiring a judge intending to award such fees to make specific written findings of fact; amending s. 216.011, F.S.; providing that the capital collateral regional counsels are not a state agency; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Campbell, **CS for CS for SB 360** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Miller
Argenziano	Fasano	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Pruitt
Baker	Haridopolos	Rich
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Crist, Sebesta

CS for SB 526—A bill to be entitled An act relating to juvenile defendants; amending s. 27.51, F.S.; requiring that the public defender represent an indigent child taken into custody under specified delinquency provisions; amending s. 985.203, F.S.; requiring that a child be represented at a specified point in delinquency court proceedings unless the right to counsel is waived after receiving advice of counsel; providing that counsel be permitted to advise a child after a specified point in delinquency court proceedings; requiring that the court appoint counsel for an indigent child if the child's parent or legal guardian is the alleged victim in the case; providing that the parents or legal guardian is not liable for fees, charges, or costs upon a finding by the court that a parent or legal guardian is a victim of the offense; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for SB 526** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Constantine	King
Alexander	Crist	Klein
Argenziano	Diaz de la Portilla	Lawson
Atwater	Dockery	Lynn
Baker	Fasano	Margolis
Bennett	Garcia	Miller
Bullard	Geller	Peaden
Campbell	Haridopolos	Posey
Carlton	Hill	Pruitt
Clary	Jones	Rich

Saunders	Smith	Wilson
Sebesta	Villalobos	Wise
Siplin	Webster	

Nays—None

Vote after roll call:

Yea—Dawson

HB 7111—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding the offense of interference with custody; amending s. 787.03, F.S.; specifying that the offense of interference with custody applies to the taking of a minor; providing a penalty; revising a defense to the offense of interference with custody for a defendant who is a victim of actual or imminent domestic violence to provide that the defendant's reasonable belief that the interference was necessary to escape from, or protect himself or herself from, domestic violence or to preserve a minor or incompetent person from exposure to domestic violence constitutes a defense; revising a defense to the offense of interference with custody when a minor or incompetent person instigates his or her own taking to require a showing that it was reasonable for the defendant to rely upon the instigating acts; broadening an exception to the offense of interference with custody; specifying that the offense is inapplicable to cases involving certain persons who have a legal right to custody of a minor or an incompetent person who take the minor or incompetent person and follow prescribed procedures; including the taking of an incompetent person within provisions governing the exception to the offense; making editorial changes; reenacting s. 61.45(6)(b), F.S., relating to a court order of visitation or custody, and s. 933.18(7)(a), F.S., relating to instances in which a warrant may be issued for search of private dwelling, for the purpose of incorporating the amendment to s. 787.03, F.S., in references thereto; reenacting and amending s. 921.0022(3)(d), F.S.; revising a reference to the offense of interference with custody within the offense severity ranking chart of the Criminal Punishment Code to conform; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, **HB 7111** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Hill	Sebesta
Bennett	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

Vote after roll call:

Yea—Bullard, Dawson

HB 7113—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding the public records exemption for the interference with custody statute; amending s. 787.03, F.S.; expanding the public records exemption for specified information contained in a report made to a sheriff or state attorney as part of a statutory exception to the offense of interference with custody; providing that the address and telephone number of a minor or incompetent person contained in such report is confidential and exempt from public records requirements; providing an exception to the exemption; providing for review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Webster, **HB 7113** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

CS for CS for SB 940—A bill to be entitled An act relating to court costs for drug court programs; creating s. 938.20, F.S.; authorizing counties to provide by ordinance for funding of drug court programs through the assessment of an additional mandatory court cost; providing for the assessment to be imposed against persons who plead guilty or no contest to, or are convicted of, certain drug-abuse prevention and control provisions or certain local ordinances or uniform traffic control laws involving alcohol or other substance use or abuse; providing for collection and deposit of the assessment; providing for administration of the funds; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **CS for CS for SB 940** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

SENATOR SAUNDERS PRESIDING

CS for SB 2432—A bill to be entitled An act relating to prepaid limited and discount medical plans; amending s. 636.044, F.S.; exempting certain sellers of travel from licensing requirements to sell prepaid limited health service contracts that cover the cost of transportation provided by an air ambulance service; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment:

Amendment 1 (185716)(with title amendment)—On page 2, between lines 21 and 22, insert:

Section 2. Subsection (2) of section 636.204, Florida Statutes, is amended to read:

636.204 License required.—

(2) An application for a license to operate as a discount medical plan organization must be filed with the office on a form prescribed by the commission. Such application must be sworn to by an officer or authorized representative of the applicant and be accompanied by the following, if applicable:

(a) A copy of the applicant's articles of incorporation or other organizing documents, including all amendments.

(b) A copy of the applicant's bylaws.

(c) A list of the names, addresses, official positions, and biographical information of the individuals who are responsible for conducting the applicant's affairs, including, but not limited to, all members of the board of directors, board of trustees, executive committee, or other governing board or committee, the officers, contracted management company personnel, and any person or entity owning or having the right to acquire 10 percent or more of the voting securities of the applicant. Such listing must fully disclose the extent and nature of any contracts or arrangements between any individual who is responsible for conducting the applicant's affairs and the discount medical plan organization, including any possible conflicts of interest.

(d) A complete biographical statement, on forms prescribed by the commission, an independent investigation report, and a set of fingerprints, as provided in chapter 624, with respect to each individual identified under paragraph (c).

(e) A statement generally describing the applicant, its facilities and personnel, and the medical services to be offered.

(f) A copy of the form of all contracts made or to be made between the applicant and any providers or provider networks regarding the provision of medical services to members.

(g) A copy of the form of any contract made or arrangement to be made between the applicant and any person listed in paragraph (c).

(h) A copy of the form of any contract made or to be made between the applicant and any person, corporation, partnership, or other entity for the performance on the applicant's behalf of any function, including, but not limited to, marketing, administration, enrollment, investment management, and subcontracting for the provision of health services to members.

(i) A copy of the applicant's most recent financial statements audited by an independent certified public accountant. An applicant that is a subsidiary of a parent entity that is publicly traded and that prepares audited financial statements reflecting the consolidated operations of the parent entity and the subsidiary may ~~submit petition to the office to accept~~, in lieu of the audited financial statement of the applicant, the audited financial statement of the parent entity and a written guaranty by the parent entity that the minimum capital requirements of the applicant required by this part will be met by the parent entity.

(j) A description of the proposed method of marketing.

(k) A description of the subscriber complaint procedures to be established and maintained.

(l) The fee for issuance of a license.

(m) Such other information as the commission or office may reasonably require to make the determinations required by this part.

Section 3. Subsection (1) of section 636.206, Florida Statutes, is amended to read:

636.206 Examinations and investigations.—

(1) The office may examine or investigate the business and affairs of any discount medical plan organization *if the commissioner has reason to believe that the discount medical plan organization is not complying with the requirements of this part.* The office may order any discount medical plan organization or applicant to produce any records, books, files, advertising and solicitation materials, or other information and may take statements under oath to determine whether the discount medical plan organization or applicant is in violation of the law or is acting contrary to the public interest. The expenses incurred in conducting any examination or investigation must be paid by the discount medical plan organization or applicant. Examinations and investigations must be conducted as provided in chapter 624.

Section 4. Subsection (1) of section 636.210, Florida Statutes, is amended to read:

636.210 Prohibited activities of a discount medical plan organization.—

(1) A discount medical plan organization may not:

(a) Use in its advertisements, marketing material, brochures, and discount cards the term “insurance” except as otherwise provided in this part or as a disclaimer of any relationship between discount medical plan organization benefits and insurance;

(b) Use in its advertisements, marketing material, brochures, and discount cards the terms “health plan,” “coverage,” “copay,” “copayments,” “preexisting conditions,” “guaranteed issue,” “premium,” “PPO,” “preferred provider organization,” or other terms in a manner that could reasonably mislead a person into believing the discount medical plan was health insurance;

(c) Have restrictions on free access to plan providers, *except for hospital services*, including, but not limited to, waiting periods and notification periods; or

(d) Pay providers any fees for medical services.

Section 5. Subsection (1) of section 636.216, Florida Statutes, is amended to read:

636.216 Charge or form filings.—

(1) All charges to members must be filed with the office. ~~and Any charge to members greater than \$30 per month or \$360 per year for access to health care services other than those provided by physicians licensed under chapter 458 or chapter 459, or by hospitals licensed under chapter 395, must be approved by the office before the charges can be used. Any charge to members greater than \$60 per month or \$720 per year for health care services that include services provided by physicians licensed under chapter 458 or chapter 459, or by hospitals licensed under chapter 395, must be approved by the office before the charges may be used.~~ The discount medical plan organization has the burden of proof that the charges bear a reasonable relation to the benefits received by the member.

Section 6. Section 636.218, Florida Statutes, is amended to read:

636.218 Annual reports.—

(1) Each discount medical plan organization must file with the office, within 3 months after the end of each fiscal year, an annual report.

(2) Such reports must be on forms prescribed by the commission and must include:

~~(a) Audited financial statements prepared in accordance with generally accepted accounting principles certified by an independent certified public accountant, including the organization's balance sheet, income statement, and statement of changes in cash flow for the preceding year. An organization that is a subsidiary of a parent entity that is publicly traded and that prepares audited financial statements reflecting the consolidated operations of the parent entity and the organization may petition the office to accept, in lieu of the audited financial statement of~~

~~the organization, the audited financial statement of the parent entity and a written guaranty by the parent entity that the minimum capital requirements of the organization required by this part will be met by the parent entity.~~

~~(a)(b)~~ If different from the initial application or the last annual report, a list of the names and residence addresses of all persons responsible for the conduct of the organization's affairs, together with a disclosure of the extent and nature of any contracts or arrangements between such persons and the discount medical plan organization, including any possible conflicts of interest.

~~(b)(c)~~ The number of discount medical plan members in the state.

~~(c)(d)~~ Such other information relating to the performance of the discount medical plan organization as is reasonably required by the commission or office.

(3) Every discount medical plan organization which fails to file an annual report in the form and within the time required by this section shall forfeit up to \$500 for each day for the first 10 days during which the neglect continues and shall forfeit up to \$1,000 for each day after the first 10 days during which the neglect continues; and, upon notice by the office to that effect, the organization's authority to enroll new members or to do business in this state ceases while such default continues. The office shall deposit all sums collected by the office under this section to the credit of the Insurance Regulatory Trust Fund. The office may not collect more than \$50,000 for each report.

Section 7. Section 636.220, Florida Statutes, is amended to read:

636.220 Minimum capital requirements.—

(1) Each discount medical plan organization must at all times maintain a net worth of at least \$150,000 *and shall certify in writing and under oath at the time of licensure and annually thereafter that the minimum capitalization requirements of this part are satisfied.*

(2) The office may not issue a license unless the discount medical plan organization has a net worth of at least \$150,000.

Section 8. Section 636.230, Florida Statutes, is amended to read:

636.230 Bundling discount medical plans with insurance other products.—When a marketer or discount medical plan organization sells a discount medical plan together with any *insurance other* product, the fees for the discount medical plan must be provided in writing to the member if the fees exceed \$30 per month for access to health care services *other than those provided by physicians licensed under chapter 458 or chapter 459, or by hospitals licensed under chapter 395, or \$60 per month for health care services that include services provided by physicians licensed under chapter 458 or chapter 459, or by hospitals licensed under chapter 395.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 8, after the semicolon (;) insert: amending s. 636.204, F.S.; providing that an applicant for licensure as a discount medical plan organization may submit an audited financial statement of the parent entity in lieu of the audited financial statement of the applicant; amending s. 636.206, F.S.; authorizing the Office of Insurance Regulation to examine or investigate the business of a discount medical plan organization under certain circumstances; amending s. 636.210, F.S.; providing an exception to the prohibited restrictions on free access to plan providers for hospital services; amending s. 636.216, F.S.; revising the charges and filing requirements for access to certain health care services; amending s. 636.218, F.S.; deleting a requirement that audited financial statements be included in the annual report filed by a discount medical plan organization; amending s. 636.220, F.S.; requiring a discount medical plan organization to certify in writing and under oath that certain requirements are satisfied; amending s. 636.230, F.S.; requiring the fees for a discount medical plan to be provided in writing under certain circumstances;

On motion by Senator Constantine, further consideration of **CS for SB 2432** with pending **Amendment 1 (185716)** was deferred.

On motion by Senator Clary—

CS for CS for CS for SB 638—A bill to be entitled An act relating to sheltering of sexual offenders and predators; amending s. 252.35, F.S.; requiring the Division of Emergency Management, in conjunction with specified agencies, to set forth policy guidance for the sheltering of individuals designated as sexual predators or subject to registration as sexual offenders; amending ss. 775.21 and 943.0435, F.S.; requiring sexual predators and individuals subject to registration as sexual offenders seeking shelter to adhere to specified guidelines and provisions; providing penalties; providing a finding of important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 638** was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis—

CS for SB 306—A bill to be entitled An act relating to public K-12 education; amending s. 1001.42, F.S., relating to powers and duties of district school boards; providing a requirement relating to the opening date of the school year; amending s. 1011.60, F.S.; including the opening date requirement for participation in the Florida Education Finance Program; providing for applicability beginning with the 2007-2008 school year unless a decision is made by the district school board to apply such provisions beginning with the 2006-2007 school year; providing an effective date.

—was read the second time by title.

The Committee on Education Appropriations recommended the following amendment which was moved by Senator Margolis and adopted:

Amendment 1 (862220)—On page 1, line 31; and on page 2, line 13, delete “7” and insert: 14

Pursuant to Rule 4.19, **CS for SB 306** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine, the Senate resumed consideration of—

CS for SB 2432—A bill to be entitled An act relating to prepaid limited and discount medical plans; amending s. 636.044, F.S.; exempting certain sellers of travel from licensing requirements to sell prepaid limited health service contracts that cover the cost of transportation provided by an air ambulance service; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (185716)** by Senator Peaden was withdrawn.

Pursuant to Rule 4.19, **CS for SB 2432** was placed on the calendar of Bills on Third Reading.

By the direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

SB 1850—A bill to be entitled An act relating to programs of the Department of Children and Family Services; amending s. 394.455, F.S.; providing and revising definitions; amending s. 394.463, F.S.; providing that a marriage and family therapist may execute a certificate for involuntary examination; amending s. 394.4655, F.S.; providing that a marriage and family therapist or mental health counselor may deem a services treatment plan clinically appropriate for an involuntary outpatient placement; amending s. 394.467, F.S.; requiring that documentation of any evaluation performed by a marriage and family therapist or mental health counselor be provided when a patient is ordered for involuntary inpatient placement; amending s. 383.0115, F.S.; deleting a provision that repeals the Commission on Marriage and Family Support Initiatives; directing the Department of Children and Family Services to ad-

vise the Legislature when the commission ceases to be essential; amending s. 397.451, F.S.; requiring service provider personnel who request an exemption from disqualification to submit the request within a certain time after notification of the disqualification; deleting a provision specifying that service provider personnel shall not be adversely affected pending disposition of an exemption from disqualification; deleting a provision requiring immediate dismissal of service provider personnel upon disapproval of a request for an exemption; prohibiting the department from issuing a regular license to a service provider that fails to provide proof that background screening information has been submitted providing that upon notification of the disqualification, the service provider shall comply with requirements regarding exclusions from employment in s. 435.06, F.S.; repealing s. 3, ch. 2003-279, Laws of Florida; requiring the Department of Children and Family Services, the Agency for Persons with Disabilities, the Department of Health, the Agency for Health Care Administration, and the Department of Elderly Affairs to convene a workgroup for the purpose of implementing a statewide system for ensuring the provision of services for adults with disabilities; requiring that the Department of Children and Family Services coordinate the workgroup; requiring the workgroup to report to the Governor and the Legislature by a specified date; requiring the participating agencies to support the expenses of workgroup members; requiring that the recommendations of the workgroup be incorporated into certain interagency agreements; abrogating the repeal of s. 20.19(2)(c) and (4)(b)6. and 8., F.S., relating to the appointment of certain mental health and substance abuse positions and the establishment of program offices for mental health and substance abuse; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Rich, **SB 1850** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

HB 7043—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding long-term care services; amending s. 430.105, F.S., which provides an exemption from public records requirements for personal identifying information in a record held by the Department of Elderly Affairs that relates to an individual's health or eligibility for or receipt of health-related, elder care, or long-term care services; making editorial changes; removing superfluous language; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **HB 7043** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bullard	Diaz de la Portilla
Alexander	Campbell	Dockery
Argenziano	Carlton	Fasano
Aronberg	Clary	Garcia
Atwater	Constantine	Geller
Baker	Crist	Haridopolos
Bennett	Dawson	Hill

Jones	Peaden	Siplin
King	Posey	Smith
Klein	Pruitt	Villalobos
Lawson	Rich	Webster
Lynn	Saunders	Wilson
Miller	Sebesta	Wise

Nays—None

CS for SB 1024—A bill to be entitled An act relating to deferred compensation programs; amending s. 112.215, F.S.; revising the term “employee” and defining the term “governmental entity”; authorizing governmental entities, by ordinance, contract agreement, or other documentation, to participate in the deferred compensation plan of the state and specifying responsibility of the Chief Financial Officer with respect thereto; revising the duties of the State Board of Administration regarding the establishment and management of deferred compensation plans for employees of governmental entities; amending s. 20.121, F.S., relating to the Department of Financial Services, to conform; providing effective dates.

—was read the third time by title.

On motion by Senator Constantine, **CS for SB 1024** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Miller
Alexander	Diaz de la Portilla	Peaden
Argenziano	Dockery	Posey
Aronberg	Fasano	Pruitt
Atwater	Garcia	Rich
Baker	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wise
Crist	Lynn	

Nays—None

Vote after roll call:

Yea—Margolis, Wilson

CS for CS for SB 1510—A bill to be entitled An act relating to child care; amending s. 402.281, F.S.; providing criteria that certain child care facilities must meet in order to obtain and maintain a designation as a Gold Seal Quality Care provider; requiring the Department of Children and Family Services to adopt rules pertaining to the Gold Seal Quality Care program; amending s. 402.302, F.S.; revising the definition of the term “screening” to include volunteers; amending s. 402.310, F.S.; authorizing the department or local licensing agency to administer certain disciplinary sanctions to licensees and registrants; authorizing the department or local licensing agency to convert a license or registration to probation status for a violation of certain laws; requiring the department to adopt rules establishing the grounds for imposing disciplinary actions and creating a uniform system of procedures; amending s. 402.313, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on family day care homes that fail to comply with licensure or registration requirements; providing that the minimum standards required for family day care homes for licensure should include health and safety standards; amending s. 402.3131, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on large family child care homes that fail to comply with licensure requirements; transferring, renumbering, and amending s. 402.3017, F.S.; revising the provisions of the Teacher Education and Compensation Helps scholarship program; authorizing the Agency for Workforce Innovation to administer the program and adopt rules; amending s. 402.309, F.S.; authorizing the issuance of a provisional license or registration for child care to certain applicants; prohibiting a provisional license or registration from

being issued under certain circumstances; authorizing the suspension or revocation of a provisional license or registration under certain circumstances; requiring the department to adopt rules; creating s. 402.317, F.S.; authorizing the provision of child care for a period longer than otherwise authorized if a parent or legal guardian works a shift of 24 hours or more; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for CS for SB 1510** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Miller
Alexander	Diaz de la Portilla	Peaden
Argenziano	Dockery	Posey
Aronberg	Fasano	Pruitt
Atwater	Garcia	Rich
Baker	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Margolis

On motion by Senator Dockery, by two-thirds vote **HB 1173** was withdrawn from the Committees on Transportation; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

On motion by Senator Dockery, by two-thirds vote—

HB 1173—A bill to be entitled An act relating to driver history records; creating the “Jeffrey Klapatch Act”; amending s. 322.20, F.S.; providing for the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles to implement a system that provides the parents or guardian of a minor or the adult who signed a minor’s application for a driver’s license with Internet access to the driver history record of the minor; providing that no fee will be charged for such access; providing for termination of such access; providing an effective date.

—a companion measure, was substituted for **CS for SB 2242** and by two-thirds vote read the second time by title. On motion by Senator Dockery, by two-thirds vote **HB 1173** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

HB 7045—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding supplemental rebate agreements; amending s. 409.91196, F.S., which provides an exemption from public records requirements for the rebate amount, percent of rebate, manufacturer's pricing, supplemental rebate, and other trade secrets held by the Agency for Health Care Administration relative to a preferred drug list established by the agency and an exemption from public meetings requirements for that portion of a meeting of the Medicaid Pharmaceutical and Therapeutics Committee at which such rebate amounts, percent of rebates, manufacturer's pricing, supplemental rebates, or other trade secrets are discussed; making editorial changes; removing superfluous language; requiring that a record of an exempt portion of a meeting be made and maintained; removing the scheduled repeal of the exemptions; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **HB 7045** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Miller	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Margolis

CS for CS for SB 786—A bill to be entitled An act relating to notification regarding the state minimum wage; creating s. 448.109, F.S.; providing definitions; requiring an employer to display posters at worksites to provide employees notice about the state minimum wage; requiring the Agency for Workforce Innovation to make available an updated poster each year; providing for the size and contents of the posters; providing an effective date.

—was read the third time by title.

On motion by Senator Hill, **CS for CS for SB 786** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

CS for SB 1218—A bill to be entitled An act relating to recovering, towing, or storing vehicles and vessels; amending ss. 125.0103 and 166.043, F.S.; prescribing the rates for towing and storage in counties and municipalities that have not established rates; amending s. 321.051, F.S.; requiring the rates for the wrecker operator system of the Florida Highway Patrol to be established and adjusted biannually for the purpose of ensuring that the rates are equitable; amending s. 713.78, F.S.; revising provisions governing the amount for which an unclaimed vehicle or vessel may be sold by the owner or operator of the storage space vehicles and vessels; revising certain requirements that notice be provided by mail to the owner, insurance company, and persons claiming a lien against the vehicle or vessel; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Bennett, **CS for SB 1218** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

HB 7033—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding security system plans; amending s. 119.071, F.S., which provides an exemption from public records requirements for security system plans for any property owned by or leased to the state or any of its political subdivisions and any privately owned or leased property; reorganizing provisions, making editorial changes, and removing superfluous language; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; amending s. 286.0113, F.S., which provides an exemption from public meetings requirements for a meeting that would reveal a security system plan or portion thereof; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **HB 7033** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

CS for CS for SB 2184—A bill to be entitled An act relating to parental relocation with a child; amending s. 61.13, F.S.; deleting standards for determining whether to allow a primary residential parent to move a child; creating s. 61.13001, F.S.; providing definitions; providing for the relocation of a child by agreement; providing for notification of certain persons of the intent to relocate a child and providing procedures therefor; requiring that certain information be provided on a Notice of Intent to Relocate; providing procedures for objecting to the relocation of a child; providing applicability of public records law; providing for content of an objection to relocation; authorizing the court to grant a temporary order restraining the relocation of a child under certain circumstances; prohibiting certain presumptions and requiring that certain factors be evaluated by the court with regard to relocation of a child; assigning the burden of proof in cases of relocation of a child; authorizing the court to order certain contact with the child by the nonrelocating party; granting priority for certain hearings and trials under s. 61.13001, F.S.; amending s. 28.241, F.S.; providing that the filing of certain notices and orders regarding an uncontested relocation are exempt from filing fees; providing applicability; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Campbell, the rules were waived to allow the following amendments to be considered:

Senator Campbell moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (501404)—On page 4, line 29 through page 13, line 30, delete those lines and insert:

(b) *If there is an existing cause of action, judgment, or decree of record pertaining to the child's primary residence or visitation, the parties shall seek ratification of the agreement by court order without the necessity of an evidentiary hearing unless a hearing is requested, in writing, by one or more of the parties to the agreement within 10 days after the date the agreement is filed with the court. If a hearing is not timely requested, it shall be presumed that the relocation is in the best interest of the child and the court may ratify the agreement without an evidentiary hearing.*

(3) **NOTICE OF INTENT TO RELOCATE WITH A CHILD.**—*Unless an agreement has been entered as described in subsection (2), a parent who is entitled to primary residence of the child shall notify the other parent, and every other person entitled to visitation with the child, of a proposed relocation of the child's principal residence. The form of notice shall be according to this section:*

(a) *The parent seeking to relocate shall prepare a Notice of Intent to Relocate. The following information must be included with the Notice of Intent to Relocate and signed under oath under penalty of perjury:*

1. *A description of the location of the intended new residence, including the state, city, and specific physical address, if known.*
2. *The mailing address of the intended new residence, if not the same as the physical address, if known.*
3. *The home telephone number of the intended new residence, if known.*
4. *The date of the intended move or proposed relocation.*
5. *A detailed statement of the specific reasons for the proposed relocation of the child. If one of the reasons is based upon a job offer which has been reduced to writing, that written job offer must be attached to the Notice of Intent to Relocate.*

6. *A proposal for the revised postrelocation schedule of visitation together with a proposal for the postrelocation transportation arrangements necessary to effectuate visitation with the child. Absent the existence of a current, valid order abating, terminating, or restricting visitation or other good cause predating the Notice of Intent to Relocate, failure to comply with this provision renders the Notice of Intent to Relocate legally insufficient.*

7. *Substantially the following statement, in all capital letters and in the same size type, or larger, as the type in the remainder of the notice:*

AN OBJECTION TO THE PROPOSED RELOCATION MUST BE MADE IN WRITING, FILED WITH THE COURT, AND SERVED ON THE PARENT OR OTHER PERSON SEEKING TO RELOCATE WITHIN 30 DAYS AFTER SERVICE OF THIS NOTICE OF INTENT TO RELOCATE. IF YOU FAIL TO TIMELY OBJECT TO THE RELOCATION, THE RELOCATION WILL BE ALLOWED, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD, WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.

8. *The mailing address of the parent or other person seeking to relocate to which the objection filed under subsection (5) to the Notice of Intent to Relocate should be sent.*

The contents of the Notice of Intent to Relocate are not privileged. For purposes of encouraging amicable resolution of the relocation issue, a copy of the Notice of Intent to Relocate shall initially not be filed with the court but instead served upon the nonrelocating parent, other person, and every other person entitled to visitation with the child, and the original thereof shall be maintained by the parent or other person seeking to relocate.

(b) *The parent seeking to relocate shall also prepare a Certificate of Filing Notice of Intent to Relocate. The certificate shall certify the date that the Notice of Intent to Relocate was served on the other parent and on every other person entitled to visitation with the child.*

(c) *The Notice of Intent to Relocate, and the Certificate of Filing Notice of Intent to Relocate, shall be served on the other parent and on every other person entitled to visitation with the child. If there is a pending court action regarding the child, service of process may be according to court rule. Otherwise, service of process shall be according to chapters 48 and 49 or via certified mail, restricted delivery, return receipt requested.*

(d) *A person giving notice of a proposed relocation or change of residence address under this section has a continuing duty to provide current and updated information required by this section when that information becomes known.*

(e) *If the other parent and any other person entitled to visitation with the child fails to timely file an objection, it shall be presumed that the relocation is in the best interest of the child, the relocation shall be allowed, and the court shall, absent good cause, enter an order, attaching a copy of the Notice of Intent to Relocate, reflecting that the order is entered as a result of the failure to object to the Notice of Intent to Relocate, and adopting the visitation schedule and transportation arrangements contained in the Notice of Intent to Relocate. The order may issue in an expedited manner without the necessity of an evidentiary hearing. If an objection is timely filed, the burden returns to the parent or person seeking to relocate to initiate court proceedings to obtain court permission to relocate prior to doing so.*

(f) *The act of relocating the child after failure to comply with the notice of intent to relocate procedure described in this subsection subjects the party in violation thereof to contempt and other proceedings to compel the return of the child and may be taken into account by the court in any initial or postjudgment action seeking a determination or modification of the designation of the primary residential parent or of the residence, custody, or visitation with the child as:*

1. *A factor in making a determination regarding the relocation of a child.*
2. *A factor in determining whether the designation of the primary residential parent or the residence, contact, access, visitation, or time-sharing arrangements should be modified.*
3. *A basis for ordering the temporary or permanent return of the child.*

4. *Sufficient cause to order the parent or other person seeking to relocate the child to pay reasonable expenses and attorney's fees incurred by the party objecting to the relocation.*

5. *Sufficient cause for the award of reasonable attorney's fees and costs, including interim travel expenses incident to visitation or securing the return of the child.*

(4) **APPLICABILITY OF PUBLIC RECORDS LAW.**—*If the parent or other person seeking to relocate a child, or the child, is entitled to*

prevent disclosure of location information under any public records exemption applicable to that person, the court may enter any order necessary to modify the disclosure requirements of this section in compliance with the public records exemption.

(5) **CONTENT OF OBJECTION TO RELOCATION.**—An objection seeking to prevent the relocation of a child shall be verified and served within 30 days after service of the Notice of Intent to Relocate. The objection shall include the specific factual basis supporting the reasons for seeking a prohibition of the relocation, including a statement of the amount of participation or involvement the objecting party currently has or has had in the life of the child.

(6) **TEMPORARY ORDER.**—

(a) The court may grant a temporary order restraining the relocation of a child or ordering the return of the child, if a relocation has previously taken place, or other appropriate remedial relief, if the court finds:

1. The required notice of a proposed relocation of a child was not provided in a timely manner;

2. The child already has been relocated without notice or written agreement of the parties or without court approval; or

3. From an examination of the evidence presented at the preliminary hearing that there is a likelihood that upon final hearing the court will not approve the relocation of the primary residence of the child.

(b) The court may grant a temporary order permitting the relocation of the child pending final hearing, if the court:

1. Finds that the required Notice of Intent to Relocate was provided in a timely manner; and

2. Finds from an examination of the evidence presented at the preliminary hearing that there is a likelihood that on final hearing the court will approve the relocation of the primary residence of the child, which findings must be supported by the same factual basis as would be necessary to support the permitting of relocation in a final judgment.

(c) If the court has issued a temporary order authorizing a party seeking to relocate or move a child before a final judgment is rendered, the court may not give any weight to the temporary relocation as a factor in reaching its final decision.

(d) If temporary relocation of a child is permitted, the court may require the person relocating the child to provide reasonable security, financial or otherwise, and guarantee that the court-ordered contact with the child will not be interrupted or interfered with by the relocating party.

(7) **NO PRESUMPTION; FACTORS TO DETERMINE CONTESTED RELOCATION.**—No presumption shall arise in favor of or against a request to relocate with the child when a primary residential parent seeks to move the child and the move will materially affect the current schedule of contact, access, and time-sharing with the nonrelocating parent or other person. In reaching its decision regarding a proposed temporary or permanent relocation, the court shall evaluate all of the following factors:

(a) The nature, quality, extent of involvement, and duration of the child's relationship with the parent proposing to relocate with the child and with the nonrelocating parent, other persons, siblings, half-siblings, and other significant persons in the child's life.

(b) The age and developmental stage of the child, the needs of the child, and the likely impact the relocation will have on the child's physical, educational, and emotional development, taking into consideration any special needs of the child.

(c) The feasibility of preserving the relationship between the nonrelocating parent or other person and the child through substitute arrangements that take into consideration the logistics of contact, access, visitation, and time sharing, as well as the financial circumstances of the parties; whether those factors are sufficient to foster a continuing meaningful relationship between the child and the nonrelocating parent or other person; and the likelihood of compliance with the substitute arrangements by the relocating parent once he or she is out of the jurisdiction of the court.

(d) The child's preference, taking into consideration the age and maturity of the child.

(e) Whether the relocation will enhance the general quality of life for both the parent seeking the relocation and the child, including, but not limited to, financial or emotional benefits or educational opportunities.

(f) The reasons of each parent or other person for seeking or opposing the relocation.

(g) The current employment and economic circumstances of each parent or other person and whether or not the proposed relocation is necessary to improve the economic circumstances of the parent or other person seeking relocation of the child.

(h) That the relocation is sought in good faith and the extent to which the objecting parent has fulfilled his or her financial obligations to the parent or other person seeking relocation, including child support, spousal support, and marital property and marital debt obligations.

(i) The career and other opportunities available to the objecting parent or objecting other person if the relocation occurs.

(j) A history of substance abuse or domestic violence as defined in s. 741.28 or which meets the criteria of s. 39.806(1)(d) by either parent, including a consideration of the severity of such conduct and the failure or success of any attempts at rehabilitation.

(k) Any other factor affecting the best interest of the child or as set forth in s. 61.13.

(8) **BURDEN OF PROOF.**—The parent or other person wishing to relocate has the burden of proof if an objection is filed and must then initiate a proceeding seeking court permission for relocation. The initial burden is on the parent or person wishing to relocate to prove by a preponderance of the evidence that relocation is in the best interest of the child. If that burden of proof is met, the burden shifts to the nonrelocating parent or other person to show by a preponderance of the evidence that the proposed relocation is not in the best interest of the child.

(9) **ORDER REGARDING RELOCATION.**—If relocation is permitted:

(a) The court may, in its discretion, order contact with the nonrelocating parent, including access, visitation, time sharing, telephone, Internet, web-cam, and other arrangements sufficient to ensure that the child has frequent, continuing, and meaningful contact, access, visitation, and time sharing with the nonrelocating parent or other persons, if contact is financially affordable and in the best interest of the child.

(b) If applicable, the court shall specify how the transportation costs will be allocated between the parents and other persons entitled to contact, access, visitation, and time sharing and may adjust the child support award, as appropriate, considering the costs of transportation and the respective net incomes of the parents in accordance with state child support guidelines.

(10) **PRIORITY FOR HEARING OR TRIAL.**—An evidentiary hearing or nonjury trial on a pleading seeking temporary or permanent relief filed pursuant to this section shall be accorded priority on the court's calendar.

(11) **APPLICABILITY.**—

(a) The provisions of this section apply:

1. To orders entered before October 1, 2006, if the existing order defining custody, primary residence, or visitation of or with the child does not expressly govern the relocation of the child.

2. To an order, whether temporary or permanent, regarding the custody, primary residence, or visitation of or with the child entered on or after October 1, 2006.

3. To any relocation or proposed relocation, whether permanent or temporary, of a child during any proceeding pending on October 1, 2006, wherein the custody, primary residence, or visitation of or with the child is an issue.

(b) *To the extent that a provision of this section conflicts with an order existing on October 1, 2006, this section does not apply to the terms of that order which expressly govern relocation of the child or a change in the principal residence address of a parent.*

Amendment 2 (215318)—On page 15, delete line 7 and insert:

Section 4. This act shall take effect October 1, 2006.

On motion by Senator Campbell, **CS for CS for SB 2184** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Margolis
Alexander	Diaz de la Portilla	Miller
Argenziano	Dockery	Peaden
Aronberg	Fasano	Posey
Atwater	Garcia	Pruitt
Baker	Geller	Rich
Bennett	Haridopolos	Saunders
Bullard	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Wilson
Constantine	Lawson	Wise
Crist	Lynn	

Nays—None

Vote after roll call:

Yea—Villalobos, Webster

HB 7023—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding medical facility terrorism response information; amending s. 381.95, F.S.; reorganizing provisions, making editorial changes, and removing superfluous language; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **HB 7023** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Margolis
Alexander	Diaz de la Portilla	Peaden
Argenziano	Dockery	Posey
Aronberg	Fasano	Pruitt
Atwater	Garcia	Rich
Baker	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Miller

HB 273—A bill to be entitled An act relating to outdoor advertising; amending s. 479.106, F.S.; revising provisions relating to the proximity of vegetation and beautification projects to outdoor advertising signs; prohibiting planting that will block the signs; specifying distances that constitute a view zone on interstate highways, expressways, federal-aid primary highways, and the State Highway System for outdoor advertising signs; authorizing the Department of Transportation and owners of

outdoor advertising signs to enter into agreements identifying view zone locations; providing for a claim of violation of view zone clearance requirements; providing procedures; providing for award of compensation; exempting certain curative measures from department permit requirements; requiring notice to the department; limiting liability of certain service providers under certain circumstances; providing for application to certain existing agreements; amending s. 479.25, F.S.; revising provisions for height increase of certain outdoor advertising signs; authorizing the height to be increased if visibility is blocked due to installation of certain noise-attenuation barriers; requiring sign reconstruction to meet certain requirements of the Florida Building Code; requiring notice by the department to the local government or jurisdiction; providing for resolution when a sign height increase would conflict with local ordinances or land development regulations; providing for a survey of impacted property owners; providing for a public hearing; providing for application to certain existing agreements; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Lynn, the rules were waived to allow the following amendments to be considered:

Senator Lynn moved the following amendments which failed to receive the required two-thirds vote:

Amendment 1 (663514)(with title amendment)—On lines 94-210, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On lines 18-29, delete those lines and insert: application to certain existing agreements; providing for

Amendment 2 (620534)—On line 183, delete that line and insert: *another comparable location; or*

On motion by Senator Haridopolos, **HB 273** was passed and certified to the House. The vote on passage was:

Yeas—28

Alexander	Dockery	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Jones	Sebesta
Bennett	King	Siplin
Bullard	Klein	Smith
Clary	Lawson	Webster
Crist	Margolis	Wilson
Dawson	Miller	
Diaz de la Portilla	Peaden	

Nays—10

Mr. President	Constantine	Hill
Argenziano	Fasano	Lynn
Campbell	Garcia	Villalobos
Carlton		

Vote after roll call:

Yea—Pruitt

HB 7025—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding comprehensive emergency management plan components; amending s. 395.1056, F.S., which provides an exemption from public records requirements for those portions of a comprehensive emergency management plan that address the response of a public or private hospital to an act of terrorism and which provides an exemption from public meetings requirements for that portion of a public meeting which would reveal information contained in a comprehensive emergency management plan that addresses the response of a hospital to an act of terrorism; reorganizing provisions, making editorial changes, and removing superfluous language; removing the scheduled repeal of the exemptions under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **HB 7025** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

On motion by Senator Peaden, by two-thirds vote **HB 1155** was withdrawn from the Committees on Environmental Preservation; Judiciary; and General Government Appropriations.

On motion by Senator Peaden, by two-thirds vote—

HB 1155—A bill to be entitled An act relating to contaminated drycleaning facilities; amending s. 376.3078, F.S.; providing that contaminated drycleaning facilities damaged by accident prior to a specified date are eligible for state-funded site rehabilitation; defining the term “accident”; providing an effective date.

—a companion measure, was substituted for **SB 2174** and read the second time by title. On motion by Senator Peaden, by two-thirds vote **HB 1155** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Margolis
Alexander	Diaz de la Portilla	Miller
Argenziano	Dockery	Peaden
Aronberg	Fasano	Posey
Atwater	Garcia	Pruitt
Baker	Geller	Rich
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Sebesta

HB 641—A bill to be entitled An act relating to animal service providers; amending s. 474.203, F.S.; providing that ch. 474, F.S., relating to veterinary medical practice, does not apply to a part-time worker or an independent contractor who is hired by an owner to provide certain services; providing for retroactive effect; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **HB 641** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

HB 209—A bill to be entitled An act relating to the annual intangible personal property tax; repealing ss. 199.012, 199.023, 199.032, 199.033, 199.042, 199.052, 199.057, 199.062, 199.103, 199.1055, 199.106, 199.175, and 199.185, F.S., relating to the annual intangible personal property tax; amending s. 199.303, F.S.; providing additional legislative intent relating to the annual intangible personal property tax; amending ss. 28.35, 192.0105, 192.032, 192.042, 192.091, 193.114, 196.015, 196.199, 199.133, 199.183, 199.218, 199.232, 199.282, 199.292, 212.02, 213.053, 213.054, 213.27, 220.1845, 376.30781, 493.6102, 650.05, 655.071, and 733.702, F.S., to conform provisions to the repeal of the annual intangible personal property tax; providing for application of certain collection, administration, and enforcement provisions to taxation of certain leaseholds; authorizing the Department of Revenue to adopt emergency implementing rules for a certain time; providing effective dates.

—was read the third time by title.

On motion by Senator Atwater, **HB 209** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Atwater	Garcia	Rich
Baker	Haridopolos	Saunders
Bennett	Jones	Sebesta
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wise
Constantine	Lynn	
Crist	Margolis	

Nays—9

Aronberg	Geller	Siplin
Bullard	Hill	Smith
Dawson	Miller	Wilson

SB 692—A bill to be entitled An act relating to tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from such tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Webster, **SB 692** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Baker

Bennett	Geller	Pruitt	Geller	Margolis	Siplin
Bullard	Haridopolos	Rich	Haridopolos	Miller	Smith
Campbell	Hill	Saunders	Hill	Peaden	Villalobos
Carlton	Jones	Sebesta	Jones	Posey	Webster
Clary	King	Siplin	King	Pruitt	Wilson
Constantine	Klein	Smith	Klein	Rich	Wise
Crist	Lawson	Villalobos	Lawson	Saunders	
Dawson	Lynn	Webster	Lynn	Sebesta	
Diaz de la Portilla	Margolis	Wilson	Nays—None		
Dockery	Miller	Wise			
Fasano	Peaden				
Garcia	Posey				
Nays—None					

SB 1074—A bill to be entitled An act relating to the assessment of obsolete agricultural equipment for purposes of ad valorem taxation; providing for obsolete agricultural equipment to be assessed at its value as salvage; defining the term “agricultural equipment”; providing a procedure for a taxpayer to claim the right of assessment under this section; authorizing the property appraiser to require information establishing a taxpayer’s right to the classification; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **SB 1074** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

Vote after roll call:

Yea—Carlton

CS for SB 1680—A bill to be entitled An act relating to public documents; amending s. 257.05, F.S.; requiring that each state official, agency, board, and court provide to the Division of Library and Information Services of the Department of State an annual list of public documents issued by the official, agency, board, or court; amending s. 283.31, F.S.; defining the term “publication” for purposes of a requirement that an executive agency maintain records of certain publication costs; amending s. 283.55, F.S.; revising the form used by each state agency for the purpose of purging publication mailing lists; providing an effective date.

—was read the third time by title.

On motion by Senator Haridopolos, **CS for SB 1680** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bennett	Crist
Alexander	Bullard	Dawson
Argenziano	Campbell	Diaz de la Portilla
Aronberg	Carlton	Dockery
Atwater	Clary	Fasano
Baker	Constantine	Garcia

CS for SB 646—A bill to be entitled An act relating to sexual and career offenders; amending s. 775.21, F.S.; revising the definition of the term “institution of higher education” to include a career center; revising provisions relating to use of prior felonies for sexual predator determination; removing provisions allowing a sexual predator to register at the Department of Law Enforcement; amending s. 775.261, F.S.; revising an operational date used for career offender registration; expanding applicability of registration requirements; amending s. 943.0435, F.S.; removing provisions permitting a sexual offender to register at an office of the Department of Law Enforcement; revising provisions relating to the definition of “sexual offender”; revising the definition of “institution of higher education” to include a career center; revising a provision relating to an offender’s driver’s license or identification card renewal; amending s. 944.606, F.S.; revising provisions relating to the definition of “sexual offender”; amending s. 944.607, F.S.; revising provisions relating to the definition of “sexual offender”; revising the definition of “institution of higher education” to include a career center; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Campbell, **CS for SB 646** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Miller
Alexander	Diaz de la Portilla	Peaden
Argenziano	Dockery	Posey
Aronberg	Fasano	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

Vote after roll call:

Yea—Garcia

CS for CS for SB 1112—A bill to be entitled An act relating to the denial of development permits; creating s. 125.022, F.S.; requiring a county to give written notice of its decision to deny a development permit; specifying information that the notice must include; defining the term “development permit”; creating s. 166.033, F.S.; requiring a municipality to give written notice of its decision to deny a development permit; specifying information that the notice must include; providing an effective date.

—as amended April 21 was read the third time by title.

On motion by Senator Bennett, **CS for CS for SB 1112** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Baker

Bennett	Geller	Posey
Campbell	Haridopolos	Pruitt
Carlton	Hill	Rich
Clary	Jones	Saunders
Constantine	King	Sebesta
Crist	Klein	Siplin
Dawson	Lawson	Smith
Diaz de la Portilla	Lynn	Villalobos
Dockery	Margolis	Webster
Fasano	Miller	Wilson
Garcia	Peaden	Wise

Nays—None

Vote after roll call:

Yea—Bullard

RECESS

On motion by Senator Pruitt, the Senate recessed at 12:18 p.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 1:43 p.m. A quorum present—39:

Mr. President	Dawson	Margolis
Alexander	Diaz de la Portilla	Miller
Argenziano	Dockery	Peaden
Aronberg	Fasano	Posey
Atwater	Garcia	Pruitt
Baker	Geller	Rich
Bennett	Haridopolos	Saunders
Bullard	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise

SPECIAL ORDER CALENDAR, continued

SENATOR CARLTON PRESIDING

Consideration of **CS for CS for SB 660** was deferred.

On motion by Senator Baker, by two-thirds vote **HB 85** was withdrawn from the Committees on Criminal Justice; and Justice Appropriations.

On motion by Senator Baker, by two-thirds vote—

HB 85—A bill to be entitled An act relating to assault or battery; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer or specified non-sworn law enforcement agency employee; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 212** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 85** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for CS for SB 1368—A bill to be entitled An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for meetings, procedures, and records; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Administrative Trust Fund; providing for expiration of the

council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1368** to **HB 825**.

Pending further consideration of **CS for CS for SB 1368** as amended, on motion by Senator Atwater, by two-thirds vote **HB 825** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Productivity; and General Government Appropriations.

On motion by Senator Atwater, by two-thirds vote—

HB 825—A bill to be entitled An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for reimbursement for per diem and travel expenses; providing for meetings, procedures, and records; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Department of Financial Services Administrative Trust Fund; providing for expiration of the council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1368** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 825** was placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

SJR 98—A joint resolution proposing the creation of a new section in Article X of the State Constitution relating to the Florida Hurricane Catastrophe Fund.

—was read the second time by title.

Pursuant to Rule 4.19, **SJR 98** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

CS for SB 508—A bill to be entitled An act relating to sexual predators; amending s. 775.21, F.S.; redefining the terms “permanent residence” and “temporary residence” in order to reduce the number of consecutive days and days in the aggregate which constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff's office, or the Department of Corrections; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 508** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1826—A bill to be entitled An act relating to biomedical research; providing legislative intent; amending s. 20.435, F.S.; authorizing the use of funds in the Biomedical Research Trust Fund for the purposes of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5602, F.S.; revising the membership and the method for appointing members to the Biomedical Research Advisory Council; requiring the council to award grants for cancer research through the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; providing for the repeal of s. 215.5602, F.S.; requiring the Legislature to review the program prior to the repeal; providing for transition to new appointments; amending s. 381.855, F.S.; revising the membership of the advisory council for the Florida Center for Universal Research to Eradicate Disease; providing for terms of office and the filling of vacancies; providing for officers,

meetings, and procedures; providing for transition to new appointments; amending s. 381.921, F.S.; revising a goal of the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring the program to provide grants for cancer research; providing procedures for awarding cancer research grants; providing for peer-review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; requiring an annual report; authorizing the Legislature to annually appropriate funds for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing for the repeal of s. 381.922, F.S.; requiring the Legislature to review the program prior to the repeal; amending s. 381.98, F.S.; providing that a purpose of the Florida Public Health Foundation is to provide services to the Department of Health; allowing the foundation to provide personnel to the department for specified purposes; providing that such personnel are not state employees and are not entitled to state benefits; providing that the foundation may purchase goods, services, and property for use by the department; exempting such purchases from chs. 253, 255, and 287, F.S., and from control by the Department of Environmental Protection or the Department of Management Services; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s. 1004.445, F.S.; revising the method of appointing and filling vacancies on the board of directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; requiring certain information in the annual report; requiring an annual operating budget; providing procedures for awarding of Alzheimer's disease research grants; providing for peer-review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; providing for the repeal of s. 1004.445, F.S.; requiring the Legislature to review the center and institute prior to the repeal; providing for transition to new appointments; providing an appropriation; providing effective dates.

—was read the second time by title.

Senator Saunders moved the following amendments which were adopted:

Amendment 1 (655578)—On page 4, line 5 through page 5, line 4, delete those lines and insert:

Section 2. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to s. 215.5601 and any other funds appropriated by the Legislature. Funds shall be used for the purposes of the James and Esther King Biomedical Research Program and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program as specified in ss. 215.5602, and 288.955, and 381.922. The trust fund is exempt from the service charges imposed by s. 215.20.

2. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund. The department may invest these funds independently through the Chief Financial Officer or may negotiate a trust agreement with the State Board of Administration for the investment management of any balance in the trust fund.

3. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any appropriation from the Biomedical Research Trust Fund which is not disbursed but which is obligated pursuant to contract or committed to be expended may be certified by the Governor for up to 3 years following the effective date of the original appropriation.

4. The trust fund shall, unless terminated sooner, be terminated on July 1, 2008.

Amendment 2 (661374)—On page 6, between lines 25 and 26, insert: (12) Beginning in fiscal year 2006-2007, the sum of \$6 million is

appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the James and Esther King Biomedical Research Program pursuant to this section. From these funds up to \$250,000 shall be available for the operating costs of the Florida Center for Universal Research to Eradicate Disease.

(Redesignate subsequent subsections.)

Amendment 3 (985284)(with title amendment)—On page 10, line 7 through page 14, line 27, delete those lines and insert:

Section 8. Section 381.922, Florida Statutes, is created to read:

381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(1) The William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, which may be otherwise cited as the "Bankhead-Coley Program," is created within the Department of Health funded by the proceeds of the Lawton Chiles Endowment Fund pursuant to s. 215.5601. The purpose of the program shall be to advance progress towards cures for cancer through grants awarded through a peer-reviewed, competitive process.

(2) The program shall provide grants for cancer research to further the search for cures for cancer.

(a) Emphasis shall be given to the goals enumerated in s. 381.921, as those goals support the advancement of such cures.

(b) Preference may be given to grant proposals that foster collaborations among institutions, researchers, and community practitioners, as such proposals support the advancement of cures through basic or applied research, including clinical trials involving cancer patients and related networks.

(3)(a) Applications for funding for cancer research may be submitted by any university or established research institute in the state. All qualified investigators in the state, regardless of institutional affiliation, shall have equal access and opportunity to compete for the research funding. Collaborative proposals, including those that advance the program's goals enumerated in subsection (2), may be given preference. Grants shall be awarded by the Secretary of Health, after consultation with the Biomedical Research Advisory Council, on the basis of scientific merit, as determined by an open, competitive peer review process that ensures objectivity, consistency, and high quality. The following types of applications shall be considered for funding:

1. Investigator-initiated research grants.

2. Institutional research grants.

3. Collaborative research grants, including those that advance the finding of cures through basic or applied research.

(b) In order to ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the Secretary of Health, in consultation with the council, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its priority score. The priority scores shall be forwarded to the council and must be considered in determining which proposals shall be recommended for funding.

(c) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(4) By December 15 of each year, the Department of Health shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report indicating progress towards the program's mission and making recommendations that further its purpose.

(5) *Beginning in fiscal year 2006-2007, the sum of \$9 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program and shall be distributed pursuant to this section to provide grants to researchers seeking cures for cancer, with emphasis given to the goals enumerated in s. 381.921. From the total funds appropriated, an amount of up to 10 percent may be used for administrative expenses.*

(6) *By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.*

(7) *The Legislature shall review the performance, the outcomes, and the financial management of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.*

(8) *This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.*

Section 9. Subsection (1) of section 381.98, Florida Statutes, is amended, paragraph (v) is added to subsection (6) of that section, present subsection (10) of that section is renumbered as subsection (12), and new subsections (10) and (11) are added to that section, to read:

381.98 The Florida Public Health Foundation, Inc.; establishment; purpose; mission; duties; board of directors.—

(1) The Florida Public Health Foundation, Inc., referred to in this section as "the corporation," is established for the purpose of disseminating breakthrough findings in biomedical research and promoting health awareness in this state *and providing services to the Department of Health.*

(6) The affairs of the corporation shall be managed by an executive director appointed by a board of directors consisting of:

(v) *A representative of the Florida Association of Health Plans.*

(10) *The corporation may provide personnel to the Department of Health for the purpose of performing duties and responsibilities outlined in private and public grants received by the Department of Health. These personnel are not state employees and are not entitled to retirement credit and other benefits provided to state employees under chapters 110 and 112. These personnel shall perform services pursuant to an agreement between the corporation and the Department of Health.*

(11) *The corporation may purchase goods, services, and property for use by the Department of Health. These purchases are not subject to the provisions of chapters 253, 255, and 287, nor to the control or direction of the Department of Environmental Protection or the Department of Management Services.*

Section 10. Subsection (3) is added to section 430.41, Florida Statutes, to read:

430.41 Grants and Donations Trust Fund.—

(3) *Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any general revenue appropriation to the Grants and Donations Trust Fund that is not disbursed but that is obligated pursuant to contract or committed to be expended may be certified by the Governor for up to 3 years following the effective date of the original appropriation.*

Section 11. Subsection (1) of section 561.121, Florida Statutes, is amended to read:

561.121 Deposit of revenue.—

(1) All state funds collected pursuant to ss. 563.05, 564.06, and 565.12 shall be paid into the State Treasury and disbursed in the following manner:

(a) ~~Two percent of monthly collections of the excise taxes on alcoholic beverages established in ss. 563.05, 564.06, and 565.12 shall be~~

deposited into the Alcoholic Beverage and Tobacco Trust Fund to meet the division's appropriation for the state fiscal year.

~~2.—Beginning July 1, 2004, there is annually distributed \$15 million to the Grants and Donations Trust Fund within the Department of Elderly Affairs, and these funds are annually appropriated to support a contract with the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute at the University of South Florida for the purposes of conducting research, developing and operating integrated data projects, and providing assistance to memory disorder clinics as established in s. 430.502.~~

~~3.—Beginning July 1, 2004, there is annually distributed \$6 million to the Biomedical Research Trust Fund within the Department of Health, and these funds are annually appropriated to the James and Esther King Biomedical Research Program. From these funds, up to \$250,000 shall be available annually for the operating costs of the Florida Center for Universal Research to Eradicate Disease.~~

~~4.—Beginning July 1, 2004, there is annually distributed \$9 million to be paid by warrant drawn by the Chief Financial Officer upon the State Treasury to Florida State University for the School of Chiropractic Medicine. Notwithstanding the provisions of chapter 216, until the School of Chiropractic Medicine is completely staffed and fully operational, these funds may be used for any purpose by the university.~~

(b) *The remainder of the funds collected pursuant to ss. 563.05, 564.06, and 565.12 collection shall be credited to the General Revenue Fund.*

And the title is amended as follows:

On page 1, line 26 through page 2, line 28, delete those lines and insert: the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring the program to provide grants for cancer research; providing procedures for awarding cancer research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; requiring an annual report; providing for the repeal of William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; requiring the Legislature to review the program prior to the repeal; amending s. 381.98, F.S., revising the purpose, duties, and authority of the Florida Public Health Foundation, Inc.; revising the membership of the board of directors of the corporation; amending s. 430.41, F.S., providing for the Governor to certify certain funds for a certain number of years; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s.

Amendment 4 (663134)—On page 18, line 10 through page 20, line 20, delete those lines and insert: Education. *The annual report shall describe the expenditure of all funds and shall provide information regarding research that has been conducted or funded by the center, as well as the expected and actual results of such research.*

(h) *By August 1 of each year, the chief executive officer shall develop and submit to the Governor and Cabinet, the President of the Senate, the Speaker of the House of Representatives, and the chair of the State Board of Education an annual operating budget detailing the planned use of state, federal, and private funds for the fiscal year.*

(8)(a) *Applications for Alzheimer's disease research funding may be submitted from any university or established research institute in the state. All qualified investigators in the state, regardless of institutional affiliation, shall have equal access and opportunity to compete for the research funding. Grants shall be awarded by the board of directors of the not-for-profit corporation on the basis of scientific merit, as determined by an open, competitive peer review process that ensures objectivity, consistency, and high quality. The following types of applications shall be considered for funding:*

1. *Investigator-initiated research grants.*

2. *Institutional research grants.*

3. *Collaborative research grants, including those that advance the finding of cures through basic or applied research.*

(b) Preference may be given to grant proposals that foster collaboration among institutions, researchers, and community practitioners because these proposals support the advancement of cures through basic or applied research, including clinical trials involving Alzheimer's patients and related networks.

(c) To ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the board of directors of the not-for-profit corporation, in consultation with the council of scientific advisors, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its scientific priority score. The priority scores shall be forwarded to the council and must be considered by the board of directors of the not-for-profit corporation in determining which proposals shall be recommended for funding.

(d) The council of scientific advisors and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflict of interest. All employees, members of the board of directors, and affiliates of the not-for-profit corporation shall follow the same rigorous guidelines for ethical conduct and shall adhere to the same strict policy with regard to conflict of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(12) Beginning in fiscal year 2006-2007, the sum of \$15 million is appropriated annually from recurring funds in the General Revenue Fund to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute at the University of South Florida for the purposes as provided under paragraph (6)(a), conducting and supporting research, providing institutional research grants and investigator-initiated research grants, developing and operating integrated data projects, and providing assistance to statutorily designated memory disorder clinics as provided under s. 430.502. Not less than 80 percent of the appropriated funds shall be expended for these purposes and not less than 20 percent of the appropriated funds shall be expended for peer-reviewed investigator-initiated research grants.

(13) By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.

(14) The Legislature shall review the performance, the outcomes, and the financial management of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the center and institute based on its review.

(15) This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.

Senators Klein and Smith offered the following amendment which was moved by Senator Klein:

Amendment 5 (205930)(with title amendment)—On page 20, between lines 20 and 21, insert:

Section 14. (1) A physician or other health care provider who treats a patient for infertility shall provide the patient with timely, relevant, and appropriate information that is sufficient to allow the person to make an informed and voluntary choice regarding the disposition of human embryos that remain following such treatment.

(2) A person to whom information is provided pursuant to subsection (1) shall be given the options of storing any unused embryos, donating them to another person, donating them for research purposes, or selecting other means of disposition.

(3) A person who chooses to donate the embryos for research shall provide written consent on a form provided by the Department of Health and made available to the public on the department's Internet website.

(4) A person may not knowingly, for material or financial gain, purchase, sell, transfer, or obtain, or promote the sale or transfer of, embryonic fetal tissue for research purposes. Embryonic and adult stem cell material may be donated only for research purposes with the informed consent of the donor. A person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 13, after the semicolon (;) insert: providing procedures for the disposition of human embryos that remain following infertility treatment; prohibiting the sale or transfer of such embryos under certain circumstances; providing penalties;

POINT OF ORDER

Senator Pruitt raised a point of order that pursuant to rule 7.1 **Amendment 5** contained language of a bill not reported favorably by all Senate committees and was therefore out of order.

The President referred the point of order and the amendment to Senator Pruitt, Chair of the Committee on Rules and Calendar.

On motion by Senator Saunders, further consideration of **CS for CS for CS for SB 1826** with pending **Amendment 5 (205930)** and pending point of order was deferred.

On motion by Senator Miller—

CS for CS for CS for SB 1394—A bill to be entitled An act relating to damage prevention and safety of underground facilities; amending s. 556.101, F.S.; providing legislative intent that Sunshine State One-Call of Florida, Inc., is not required or permitted to locate or mark underground facilities; amending s. 556.102, F.S.; redefining the term "member operator" to remove an exception for a small municipality that elects not to participate in the notification system; amending ss. 556.103 and 556.104, F.S.; deleting provisions exempting a small city from membership in the Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring that specified information be placed in the excavation notification system; providing an exception for underwater excavations; providing that the information is valid for 30 calendar days; providing for a study of the feasibility of zones where no notification is required; requiring a report to the Legislature; requiring that a notification number assigned to an excavator be provided to a law enforcement officer, government code inspector, or code enforcement officer upon request; requiring that a member operator respond to the system within a specified time indicating the status of its facility protection operations; requiring the corporation to establish a communication system between member operators and excavators; requiring an excavator to verify the system's positive responses before beginning excavation; requiring operators to use a specified color-code manual; amending s. 556.106, F.S.; providing that the notification system has no duty to and may not mark or locate underground facilities; providing that a person has no right of recovery against the notification system for failing to mark or locate underground facilities; providing that the system is not liable for the failure of a member operator to comply with the requirements of the act; amending s. 556.107, F.S.; correcting cross-references; providing for the distribution of civil penalties; authorizing the corporation to retain legal counsel to represent the corporation in certain legal proceedings; amending s. 556.108, F.S.; providing that certain single-family residential properties are not exempt from mandatory location notification; providing that certain excavations by surveyors, mappers, or pest control services are exempt from mandatory location notification if mechanized equipment is not used; amending s. 556.111, F.S.; providing that certain provisions do not preempt a governmental member operator from regulation of its right-of-way under certain conditions; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for CS for SB 1394** to **HB 789**.

Pending further consideration of **CS for CS for CS for SB 1394** as amended, on motion by Senator Miller, by two-thirds vote **HB 789** was

withdrawn from the Committees on Communications and Public Utilities; Regulated Industries; and Community Affairs.

On motion by Senator Miller, by two-thirds vote—

HB 789—A bill to be entitled An act relating to damage prevention and safety for underground facilities; amending s. 556.101, F.S.; providing legislative intent that Sunshine State One-Call of Florida, Inc., is not required or permitted to locate or mark underground facilities; revising purposes of the Underground Facility Damage Prevention and Safety Act; amending s. 556.102, F.S.; correcting a reference; redefining the term “member operator” to remove an exception for a small municipality that elects not to participate in the notification system; amending ss. 556.103 and 556.104, F.S.; deleting provisions exempting a small city from membership in the Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring that specified information be placed in the excavation notification system; providing an exception for underwater excavations; providing that the information is valid for 30 calendar days; providing for a study of the feasibility of zones where no notification is required; requiring a report to the Legislature; requiring a notification number assigned to an excavator to be provided to a law enforcement officer, government code inspector, or code enforcement officer upon request; requiring that a member operator respond to the system within a specified time indicating the status of its facility protection operations; requiring the corporation to establish a communication system between member operators and excavators; requiring an excavator to verify the system’s positive responses before beginning excavation; requiring operators to use a specified color-code manual; amending s. 556.106, F.S.; providing that the notification system has no duty to and may not mark or locate underground facilities; providing that a person has no right of recovery against the notification system for failing to mark or locate underground facilities; providing that the system is not liable for the failure of a member operator to comply with the requirements of the act; amending s. 556.107, F.S.; correcting cross-references; providing for the distribution of civil penalties; revising procedures for disposition of citations; authorizing the corporation to retain legal counsel to represent the corporation in certain legal proceedings; amending s. 556.108, F.S.; revising provisions that exempt excavation or demolition by the owner of residential property from specified notification requirements to exclude certain property that is subdivided or to be subdivided; providing that certain excavations are exempt from mandatory location notification if mechanized equipment is not used; exempting pest control services under certain circumstances; amending s. 556.111, F.S.; providing that specified applicability provisions do not exempt a local governmental member operator from specified provisions that apply to the member operator; amending s. 337.401, F.S.; correcting a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1394** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 789** was placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano, by two-thirds vote **HB 7015** was withdrawn from the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator Argenziano, by two-thirds vote—

HB 7015—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding archaeological sites; amending s. 267.135, F.S., which provides a public records exemption for information identifying the location of an archaeological site held by the Division of Historical Resources of the Department of State; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1036** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7015** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker—

CS for SB 410—A bill to be entitled An act relating to employment requirements for law enforcement personnel; amending s. 943.13, F.S.; revising the presumption of disability for certain law enforcement, correctional, and correctional probation officers; amending s. 943.137, F.S.; authorizing the establishment of tobacco-use standards; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 410** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for SB 908—A bill to be entitled An act relating to the change of a name; amending s. 68.07, F.S.; requiring that the petition for a change of name include two sets of fingerprints and a processing fee; providing duties of the clerk of the court with respect to forwarding sets of fingerprints to the Department of Law Enforcement for purposes of the state and national criminal history records check and following the granting of a petition; revising when a hearing on a change-of-name petition may occur; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 908** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for CS for SB 1826—A bill to be entitled An act relating to biomedical research; providing legislative intent; amending s. 20.435, F.S.; authorizing the use of funds in the Biomedical Research Trust Fund for the purposes of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5602, F.S.; revising the membership and the method for appointing members to the Biomedical Research Advisory Council; requiring the council to award grants for cancer research through the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; authorizing the Legislature to annually appropriate funds to the James and Esther King Biomedical Research Program; providing for transition to new appointments; amending s. 381.855, F.S.; revising the membership of the advisory council for the Florida Center for Universal Research to Eradicate Disease; providing for terms of office and the filling of vacancies; providing for officers, meetings, and procedures; authorizing the Legislature to annually appropriate funds to the Florida Center for Universal Research to Eradicate Disease; providing for transition to new appointments; amending s. 381.921, F.S.; revising a goal of the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring the program to provide grants for cancer research; providing procedures for awarding cancer research grants; providing for peer-review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; requiring an annual report; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s. 1004.445, F.S.; revising the method of appointing and filling vacancies on the board of directors of the Johnnie B. Byrd, Sr., Alzheimer’s Center and Research Institute; requiring certain information in the annual report; requiring an annual operating budget; providing procedures for awarding of Alzheimer’s disease research grants; providing for peer-review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; authorizing the Legislature to annually appropriate funds to the Johnnie B. Byrd, Sr., Alzheimer’s Center and Research Institute; providing for transition to new appointments; providing appropriations; providing effective dates.

—which was previously considered and amended this day with pending **Amendment 5 (205930)** by Senators Klein and Smith and pending point of order by Senator Pruitt.

RULING ON POINT OF ORDER

On recommendation of Senator Pruitt, Chair of the Committee on Rules and Calendar, the President ruled the point well taken and the amendment out of order.

Pending further consideration of **CS for CS for CS for SB 1826** as amended, on motion by Senator Saunders, by two-thirds vote **HB 1027** was withdrawn from the Committees on Health Care; Education; Government Efficiency Appropriations; and Health and Human Services Appropriations.

On motion by Senator Saunders, the rules were waived and by two-thirds vote—

HB 1027—A bill to be entitled An act relating to biomedical research; providing legislative intent; amending s. 20.435, F.S.; authorizing the use of funds in the Biomedical Research Trust Fund for the purposes of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5601, F.S.; providing for deposit of certain proceeds of the Lawton Chiles Endowment Fund into the Biomedical Research Trust Fund for purposes of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5602, F.S.; revising the membership and the method for appointing members to the Biomedical Research Advisory Council; requiring the council to award grants for cancer research through the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; providing for the repeal of the James and Esther King Biomedical Research Program; requiring the Legislature to review the program prior to the repeal; providing for transition to new appointments; amending s. 381.855, F.S.; revising the membership of the advisory council for the Florida Center for Universal Research to Eradicate Disease; providing for terms of office and the filling of vacancies; providing for officers, meetings, and procedures; providing for transition to new appointments; amending s. 381.921, F.S.; revising a goal of the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring the program to provide grants for cancer research; providing procedures for awarding cancer research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; requiring an annual report; providing for the repeal of William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; requiring the Legislature to review the program prior to the repeal; amending s. 381.98, F.S.; revising the purpose, duties, and authority of the Florida Public Health Foundation, Inc.; revising the membership of the board of directors of the corporation; amending s. 430.41, F.S., providing for the Governor to certify certain funds for a certain number of years; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s. 1004.445, F.S.; requiring certain information in the annual report; requiring an annual operating budget; providing procedures for awarding of Alzheimer’s disease research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; providing for the repeal of Johnnie B. Byrd, Sr., Alzheimer’s Center and Research Institute; requiring the Legislature to review the center and institute prior to the repeal; providing appropriations; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1826** as amended and by two-thirds vote read the second time by title.

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (050226)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature to provide funding to support grants for biomedical research in this state with the anticipation that sustained funding for biomedical research over a period of years will lead to an alleviation of human suffering from diseases such as cancer and Alzheimer’s disease. It is the intent of the Legislature to dramatically reduce this state’s inordinately high cancer burden, reducing both cancer incidence and mortality, while advancing scientific endeavors in this state, making this state a world-class leader in cancer research and treatment. Further, it is the intent of the Legislature to address the debilitating and deadly effects of Alzheimer’s disease by supporting research*

in Alzheimer’s disease statewide through the awarding of research grants on a competitive basis. Additionally, it is the intent of the Legislature to stimulate dramatic economic development, particularly in the biotechnology industry, through investment in this state’s biomedical research.

Section 2. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to s. 215.5601 *and any other funds appropriated by the Legislature*. Funds shall be used for the purposes of the James and Esther King Biomedical Research Program *and the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program* as specified in ss. 215.5602, ~~and~~ 288.955, *and* 381.922. The trust fund is exempt from the service charges imposed by s. 215.20.

2. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund. The department may invest these funds independently through the Chief Financial Officer or may negotiate a trust agreement with the State Board of Administration for the investment management of any balance in the trust fund.

3. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any appropriation from the Biomedical Research Trust Fund which is not disbursed but which is obligated pursuant to contract or committed to be expended may be certified by the Governor for up to 3 years following the effective date of the original appropriation.

4. The trust fund shall, unless terminated sooner, be terminated on July 1, 2008.

Section 3. Subsection (3) of section 215.5602, Florida Statutes, is amended, and subsections (11) through (14) are added to that section, to read:

215.5602 James and Esther King Biomedical Research Program.—

(3) There is created within the Department of Health the Biomedical Research Advisory Council.

(a) The council shall consist of ~~11~~ *nine* members, including: the chief executive officer of the Florida Division of the American Cancer Society, or a designee; the chief executive officer of the Florida/Puerto Rico Affiliate of the American Heart Association, or a designee; and the chief executive officer of the American Lung Association of Florida, or a designee. ~~The Governor shall appoint the remaining eight~~ *six* members of the council ~~shall be appointed~~; as follows:

1. *The Governor shall appoint four members, two members with expertise in the field of biomedical research, one member from a research university in the state, and one member representing the general population of the state.*

2. *The President of the Senate shall appoint two members, one member with expertise in the field of behavioral or social research and one representative from a cancer program approved by the American College of Surgeons.*

3. *The Speaker of the House of Representatives shall appoint two members, one member from a professional medical organization and one representative from a cancer program approved by the American College of Surgeons.*

4. ~~One member from a research university in the state.~~

5. ~~One member representing the general population of the state.~~

In making these ~~his or her~~ appointments, the Governor, *the President of the Senate, and the Speaker of the House of Representatives* shall select primarily, but not exclusively, Floridians with biomedical and lay expertise in the general areas of cancer, cardiovascular disease, stroke, and

pulmonary disease. The Governor's appointments shall be for a 3-year term and shall reflect the diversity of the state's population. ~~An appointed A council member appointed by the Governor may not serve more than two consecutive terms.~~

(b) The council shall adopt internal organizational procedures as necessary for its efficient organization.

(c) The department shall provide such staff, information, and other assistance as is reasonably necessary to assist the council in carrying out its responsibilities.

(d) Members of the council shall serve without compensation, but may receive reimbursement as provided in s. 112.061 for travel and other necessary expenses incurred in the performance of their official duties.

(11) *The council shall award grants for cancer research through the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program created in s. 381.922.*

(12) *Beginning in fiscal year 2006-2007, the sum of \$6 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the James and Esther King Biomedical Research Program pursuant to this section. From these funds up to \$250,000 shall be available for the operating costs of the Florida Center for Universal Research to Eradicate Disease.*

(13) *By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.*

(14) *The Legislature shall review the performance, the outcomes, and the financial management of the James and Esther King Biomedical Research Program during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.*

(15) *This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.*

Section 4. *All appointments to the Biomedical Research Advisory Council for the James and Esther King Biomedical Research Program that were not made in accordance with s. 215.5602, Florida Statutes, as amended by this act, shall expire June 30, 2006, but such appointees may continue to serve until their successors are appointed. This section shall take effect upon this act becoming a law.*

Section 5. Subsection (5) of section 381.855, Florida Statutes, is amended, and subsections (6) and (7) are added to that section, to read:

381.855 Florida Center for Universal Research to Eradicate Disease.—

(5) There is established within the center an advisory council that shall meet at least annually.

(a) The council shall consist of *one representative from a Florida not-for-profit institution engaged in basic and clinical biomedical research and education which receives more than \$10 million in annual grant funding from the National Institutes of Health, to be appointed by the Secretary of Health from a different institution each term, and the members of the board of directors of the Florida Research Consortium and at least one representative from and appointed by each of the following entities:*

~~1. The Emerging Technology Commission.~~

~~1.2. Enterprise Florida, Inc.~~

~~2.3. BioFlorida.~~

~~3.4. The Biomedical Research Advisory Council.~~

~~4.5. The Florida Medical Foundation.~~

~~5.6. Pharmaceutical Research and Manufacturers of America.~~

~~7. The Florida Tri-Agency Coalition on Smoking OR Health.~~

~~6.8. The Florida Cancer Council.~~

~~7.9. The American Cancer Society, Florida Division, Inc.~~

~~8.10. The American Heart Association.~~

~~9.11. The American Lung Association of Florida.~~

~~10.12. The American Diabetes Association, South Coastal Region.~~

~~11.13. The Alzheimer's Association.~~

~~12.14. The Epilepsy Foundation.~~

~~13.15. The National Parkinson Foundation.~~

~~14.16. The Florida Public Health Foundation, Inc.~~

~~15.17. The Florida Research Consortium Scripps Florida or the entity formed in this state by The Scripps Research Institute.~~

(b) Members of the council shall serve without compensation, and each organization represented shall cover all expenses of its representative.

(6) *Members shall be appointed to 4-year terms of office. The members of the advisory council shall annually elect a chair from among the members of the advisory council. Any vacancy on the advisory council shall be filled in the same manner as the original appointment.*

(7) *The advisory council shall meet at least annually, but may meet as often as it deems necessary to carry out its duties and responsibilities. The advisory council may take official action by a majority vote of the members present at any meeting at which a quorum is present.*

Section 6. *All appointments to the advisory council for the Florida Center for Universal Research to Eradicate Disease which were not made in accordance with s. 381.855, Florida Statutes, as amended by this act, shall expire June 30, 2006, but such appointees may continue to serve until their successors are appointed. This section shall take effect upon this act becoming a law.*

Section 7. Subsection (1) of section 381.921, Florida Statutes, is amended to read:

381.921 Florida Cancer Council mission and duties.—The council, which shall work in concert with the Florida Center for Universal Research to Eradicate Disease to ensure that the goals of the center are advanced, shall endeavor to dramatically improve cancer research and treatment in this state through:

(1) Efforts to significantly expand cancer research capacity in the state by:

(a) Identifying ways to attract new research talent and attendant national grant-producing researchers to ~~Florida-based~~ cancer research facilities *in this state*;

(b) Implementing a peer-reviewed, competitive process to identify and fund the best proposals to expand cancer research institutes in this state;

(c) Funding through available resources for those proposals that demonstrate the greatest opportunity to attract federal research grants and private financial support;

(d) Encouraging the employment of bioinformatics in order to create a cancer informatics infrastructure that enhances information and resource exchange and integration through researchers working in diverse disciplines, to facilitate the full spectrum of cancer investigations;

(e) Facilitating the technical coordination, business development, and support of intellectual property as it relates to the advancement of cancer research; and

(f) Aiding in other multidisciplinary research-support activities as they inure to the advancement of cancer research.

Section 8. Section 381.922, Florida Statutes, is created to read:

381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(1) The William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, which may be otherwise cited as the "Bankhead-Coley Program," is created within the Department of Health funded by the proceeds of the Lawton Chiles Endowment Fund pursuant to s. 215.5601. The purpose of the program shall be to advance progress towards cures for cancer through grants awarded through a peer-reviewed, competitive process.

(2) The program shall provide grants for cancer research to further the search for cures for cancer.

(a) Emphasis shall be given to the goals enumerated in s. 381.921, as those goals support the advancement of such cures.

(b) Preference may be given to grant proposals that foster collaborations among institutions, researchers, and community practitioners, as such proposals support the advancement of cures through basic or applied research, including clinical trials involving cancer patients and related networks.

(3)(a) Applications for funding for cancer research may be submitted by any university or established research institute in the state. All qualified investigators in the state, regardless of institutional affiliation, shall have equal access and opportunity to compete for the research funding. Collaborative proposals, including those that advance the program's goals enumerated in subsection (2), may be given preference. Grants shall be awarded by the Secretary of Health, after consultation with the Biomedical Research Advisory Council, on the basis of scientific merit, as determined by an open, competitive peer review process that ensures objectivity, consistency, and high quality. The following types of applications shall be considered for funding:

1. Investigator-initiated research grants.
2. Institutional research grants.
3. Collaborative research grants, including those that advance the finding of cures through basic or applied research.

(b) In order to ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the Secretary of Health, in consultation with the council, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its priority score. The priority scores shall be forwarded to the council and must be considered in determining which proposals shall be recommended for funding.

(c) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(4) By December 15 of each year, the Department of Health shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report indicating progress towards the program's mission and making recommendations that further its purpose.

(5) Beginning in fiscal year 2006-2007, the sum of \$9 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program and shall be distributed pursuant to this section to provide grants to researchers seeking cures for cancer, with emphasis given to the goals enumerated in s. 381.921. From the total funds appropriated, an amount of up to 10 percent may be used for administrative expenses.

(6) By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the

Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.

(7) The Legislature shall review the performance, the outcomes, and the financial management of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.

(8) This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.

Section 9. Subsection (1) of section 381.98, Florida Statutes, is amended, paragraph (v) is added to subsection (6) of that section, present subsection (10) of that section is renumbered as subsection (12), and new subsections (10) and (11) are added to that section, to read:

381.98 The Florida Public Health Foundation, Inc.; establishment; purpose; mission; duties; board of directors.—

(1) The Florida Public Health Foundation, Inc., referred to in this section as "the corporation," is established for the purpose of disseminating breakthrough findings in biomedical research and promoting health awareness in this state and providing services to the Department of Health.

(6) The affairs of the corporation shall be managed by an executive director appointed by a board of directors consisting of:

(v) A representative of the Florida Association of Health Plans.

(10) The corporation may provide personnel to the Department of Health for the purpose of performing duties and responsibilities outlined in private and public grants received by the Department of Health. These personnel are not state employees and are not entitled to retirement credit and other benefits provided to state employees under chapters 110 and 112. These personnel shall perform services pursuant to an agreement between the corporation and the Department of Health.

(11) The corporation may purchase goods, services, and property for use by the Department of Health. These purchases are not subject to the provisions of chapters 253, 255, and 287, nor to the control or direction of the Department of Environmental Protection or the Department of Management Services.

Section 10. Subsection (3) is added to section 430.41, Florida Statutes, to read:

430.41 Grants and Donations Trust Fund.—

(3) Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any general revenue appropriation to the Grants and Donations Trust Fund that is not disbursed but that is obligated pursuant to contract or committed to be expended may be certified by the Governor for up to 3 years following the effective date of the original appropriation.

Section 11. Subsection (1) of section 561.121, Florida Statutes, is amended to read:

561.121 Deposit of revenue.—

(1) All state funds collected pursuant to ss. 563.05, 564.06, and 565.12 shall be paid into the State Treasury and disbursed in the following manner:

(a)1. Two percent of monthly collections of the excise taxes on alcoholic beverages established in ss. 563.05, 564.06, and 565.12 shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund to meet the division's appropriation for the state fiscal year.

2. ~~Beginning July 1, 2004, there is annually distributed \$15 million to the Grants and Donations Trust Fund within the Department of Elderly Affairs, and these funds are annually appropriated to support a contract with the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute at the University of South Florida for the purposes of conducting research, developing and operating integrated data projects, and providing assistance to memory disorder clinics as established in s. 430.502.~~

~~3. Beginning July 1, 2004, there is annually distributed \$6 million to the Biomedical Research Trust Fund within the Department of Health, and these funds are annually appropriated to the James and Esther King Biomedical Research Program. From these funds, up to \$250,000 shall be available annually for the operating costs of the Florida Center for Universal Research to Eradicate Disease.~~

~~4. Beginning July 1, 2004, there is annually distributed \$9 million to be paid by warrant drawn by the Chief Financial Officer upon the State Treasury to Florida State University for the School of Chiropractic Medicine. Notwithstanding the provisions of chapter 216, until the School of Chiropractic Medicine is completely staffed and fully operational, these funds may be used for any purpose by the university.~~

(b) The remainder of the funds collected pursuant to ss. 563.05, 564.06, and 565.12 collection shall be credited to the General Revenue Fund.

Section 12. Subsections (2) and (6) of section 1004.445, Florida Statutes, are amended, present subsections (8), (9), and (10) of that section are renumbered as subsections (9), (10), and (11), respectively, and new subsections (8), (12), (13), (14), and (15) are added to that section, to read:

1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute.—

(2)(a) The State Board of Education shall enter into an agreement for the utilization of the facilities on the campus of the University of South Florida to be known as the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute, including all furnishings, equipment, and other chattels used in the operation of those facilities, with a Florida not-for-profit corporation organized solely for the purpose of governing and operating the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute. This not-for-profit corporation, acting as an instrumentality of the state, shall govern and operate the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute in accordance with the terms of the agreement between the State Board of Education and the not-for-profit corporation. The not-for-profit corporation may, with the prior approval of the State Board of Education, create either for-profit or not-for-profit corporate subsidiaries, or both, to fulfill its mission. The not-for-profit corporation and its subsidiaries are authorized to receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from practice activities of the institute, for the benefit of the institute and the fulfillment of its mission.

~~(b)1. The affairs of the not-for-profit corporation shall be managed by a board of directors who shall serve without compensation. The board of directors shall consist of the President of the University of South Florida and the chair of the State Board of Education, or their designees, five 5 representatives of the state universities, and nine no fewer than 9 nor more than 14 representatives of the public who are neither medical doctors nor state employees. Each director who is a representative of a state university or of the public shall be appointed to serve a term of 3 years. The chair of the board of directors shall be selected by a majority vote of the directors. Each director shall have only one vote.~~

~~2. The initial board of directors shall consist of the President of the University of South Florida and the chair of the State Board of Education, or their designees; the Of the five university representatives, of whom one shall be appointed by the Governor, two by the President of the Senate, and two by the Speaker of the House of Representatives; and of the nine public representatives, of whom three shall be appointed by the Governor, three by the President of the Senate, and three by the Speaker of the House of Representatives. Upon the expiration of the terms of the initial appointed directors, all directors subject to 3-year terms of office under this paragraph shall be appointed by a majority vote of the directors and the board may be expanded to include additional public representative directors up to the maximum number allowed. Any vacancy in office shall be filled in the same manner as the original appointment for the remainder of the term by majority vote of the directors. Any director may be reappointed.~~

(6) The institute shall be administered by a chief executive officer, who shall be appointed by and serve at the pleasure of the board of directors of the not-for-profit corporation, and who shall exercise the following powers and duties, subject to the approval of the board of directors:

(a) The chief executive officer shall establish programs that fulfill the mission of the institute in research, education, treatment, prevention, and early detection of Alzheimer's disease; however, the chief executive officer may not establish academic programs for which academic credit is awarded and which culminate in the conferring of a degree, without prior approval of the State Board of Education.

(b) The chief executive officer shall have control over the budget and the moneys appropriated or donated to the institute from private, local, state, and federal sources, as well as technical and professional income generated or derived from practice activities of the institute. However, professional income generated by university faculty from practice activities at the institute shall be shared between the institute and the university as determined by the chief executive officer and the appropriate university dean or vice president.

(c) The chief executive officer shall appoint representatives of the institute to carry out the research, patient care, and educational activities of the institute and establish the compensation, benefits, and terms of service of such representatives. Representatives of the institute shall be eligible to hold concurrent appointments at affiliated academic institutions. University faculty shall be eligible to hold concurrent appointments at the institute.

(d) The chief executive officer shall have control over the use and assignment of space and equipment within the facilities.

(e) The chief executive officer shall have the power to create the administrative structure necessary to carry out the mission of the institute.

(f) The chief executive officer shall have a reporting relationship to the Commissioner of Education.

(g) The chief executive officer shall provide a copy of the institute's annual report to the Governor and Cabinet, the President of the Senate, the Speaker of the House of Representatives, and the chair of the State Board of Education. *The annual report shall describe the expenditure of all funds and shall provide information regarding research that has been conducted or funded by the center, as well as the expected and actual results of such research.*

(h) By August 1 of each year, the chief executive officer shall develop and submit to the Governor and Cabinet, the President of the Senate, the Speaker of the House of Representatives, and the chair of the State Board of Education an annual operating budget detailing the planned use of state, federal, and private funds for the fiscal year.

(8)(a) Applications for Alzheimer's disease research funding may be submitted from any university or established research institute in the state. All qualified investigators in the state, regardless of institutional affiliation, shall have equal access and opportunity to compete for the research funding. Grants shall be awarded by the board of directors of the not-for-profit corporation on the basis of scientific merit, as determined by an open, competitive peer review process that ensures objectivity, consistency, and high quality. The following types of applications shall be considered for funding:

- 1. Investigator-initiated research grants.*
- 2. Institutional research grants.*
- 3. Collaborative research grants, including those that advance the finding of cures through basic or applied research.*

(b) Preference may be given to grant proposals that foster collaboration among institutions, researchers, and community practitioners because these proposals support the advancement of cures through basic or applied research, including clinical trials involving Alzheimer's patients and related networks.

(c) To ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the board of directors of the not-for-profit corporation, in consultation with the council of scientific advisors, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its scientific priority score. The priority scores shall be forwarded to the council and must be considered by the board of directors of the not-for-profit corporation in determining which proposals shall be recommended for funding.

(d) *The council of scientific advisors and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflict of interest. All employees, members of the board of directors, and affiliates of the not-for-profit corporation shall follow the same rigorous guidelines for ethical conduct and shall adhere to the same strict policy with regard to conflict of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.*

(12) *Beginning in fiscal year 2006-2007, the sum of \$15 million is appropriated annually from recurring funds in the General Revenue Fund to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute at the University of South Florida for the purposes as provided under paragraph (6)(a), conducting and supporting research, providing institutional research grants and investigator-initiated research grants, developing and operating integrated data projects, and providing assistance to statutorily designated memory disorder clinics as provided under s. 430.502. Not less than 80 percent of the appropriated funds shall be expended for these purposes and not less than 20 percent of the appropriated funds shall be expended for peer-reviewed investigator-initiated research grants.*

(13) *By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.*

(14) *The Legislature shall review the performance, the outcomes, and the financial management of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the center and institute based on its review.*

(15) *This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.*

Section 13. *All appointments to the board of directors of the not-for-profit corporation for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute that were not made in accordance with s. 1004.445, Florida Statutes, as amended by this act, shall expire June 30, 2006, but such appointees may continue to serve until their successors are appointed. This section shall take effect upon this act becoming a law.*

Section 14. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to biomedical research; providing legislative intent; amending s. 20.435, F.S.; authorizing the use of funds in the Biomedical Research Trust Fund for the purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5602, F.S.; revising the membership and the method for appointing members to the Biomedical Research Advisory Council; requiring the council to award grants for cancer research through the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing for the repeal of the James and Esther King Biomedical Research Program; requiring the Legislature to review the program prior to the repeal; providing for transition to new appointments; amending s. 381.855, F.S.; revising the membership of the advisory council for the Florida Center for Universal Research to Eradicate Disease; providing for terms of office and the filling of vacancies; providing for officers, meetings, and procedures; providing for transition to new appointments; amending s. 381.921, F.S.; revising a goal of the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring the program to provide grants for cancer research; providing procedures for awarding cancer research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; requiring an

annual report; providing for the repeal of William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; requiring the Legislature to review the program prior to the repeal; amending s. 381.98, F.S., revising the purpose, duties, and authority of the Florida Public Health Foundation, Inc.; revising the membership of the board of directors of the corporation; amending s. 430.41, F.S., providing for the Governor to certify certain funds for a certain number of years; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s. 1004.445, F.S.; revising the method of appointing and filling vacancies on the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute board of directors; requiring certain information in the annual report; requiring an annual operating budget; providing procedures for awarding of Alzheimer's disease research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; providing for the repeal of Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; requiring the Legislature to review the center and institute prior to the repeal; providing appropriations; providing for the transition of new appointments to the board of directors of the not-for-profit corporation for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; providing effective dates.

Pursuant to Rule 4.19, **HB 1027** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano, by two-thirds vote **HB 7013** was withdrawn from the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator Argenziano, by two-thirds vote—

HB 7013—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding copyright of data processing software created by governmental agencies; amending s. 119.084, F.S., which authorizes an agency to acquire and hold a copyright for data processing software created by the agency and to enforce its rights pertaining to such copyright; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1038** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7013** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for SB 100—A bill to be entitled An act relating to the abatement of drug paraphernalia; creating the Drug Paraphernalia Abatement Task Force within the Executive Office of the Governor; prescribing task force membership; providing for meetings and duties of the task force; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Office of Drug Control within the Executive Office of the Governor to provide staff support; requiring cooperation by state agencies; providing for abolishing the task force on a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 100** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for CS for SB 2580—A bill to be entitled An act relating to the state's aerospace industry; redesignating the "Florida Space Authority" as "Space Florida"; providing legislative intent; providing, revising, and repealing definitions; revising and consolidating the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; deleting authority to establish facilities and complementary activities; providing additional powers and duties of Space Florida; prohibiting Space Florida from endorsing political candidates or making campaign contributions; characterizing certain prop-

erty as Space Florida territory; providing additional powers and responsibilities of Space Florida relating to the state's aerospace industry; deleting authority to exercise eminent domain powers; requiring Space Florida to create a business plan and a marketing campaign; requiring Space Florida to coordinate its activities with federal and state agencies; replacing provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; providing for designation and appointment of members; providing for terms, removal of members, and filling of vacancies; providing for board meetings; specifying service without compensation; providing for reimbursement of certain expenses; providing financial disclosure requirements; revising powers and duties of the board; creating ss. 331.3011 and 331.3051, F.S.; amending ss. 331.301, 331.302, 331.303, 331.305, 331.306, 331.308, 331.309, 331.310, 331.3101, 331.311, 331.312, 331.313, 331.316, 331.317, 331.318, 331.319, 331.320, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.355, 331.360, and 331.369, F.S., to conform; amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, and 288.9415, F.S., to conform; amending s. 212.08, F.S.; expanding the exemption from the sales and use tax on certain machinery and equipment; creating s. 1004.86, F.S.; requiring the Department of Education to establish the Florida Center for Mathematics and Science Education Research at a public state university; specifying requirements for the center; repealing s. 331.314, F.S., relating to the exclusive authority of the Florida Space Authority to regulate spaceports; repealing s. 331.315, F.S., relating to maintenance of projects across rights-of-way; repealing s. 331.367, F.S., relating to the Spaceport Management Council; repealing s. 331.368, F.S., relating to the Florida Space Research Institute; repealing ss. 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417, and 331.419, F.S., relating to the Florida Aerospace Finance Corporation; providing that the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation are dissolved on a specified date; providing that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requiring the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requiring the board of directors of Space Florida to hold its first meeting by a specified date; amending ss. 228.1224, 288.9015, 445.004, and 1001.10, F.S.; requiring the Florida Commission on Tourism, Enterprise Florida, Inc., Workforce Florida, Inc., and the Commissioner of Education to enter into memoranda of agreement with Space Florida; amending s. 334.044, F.S.; prescribing power of the Department of Transportation to enter into agreement with Space Florida; providing appropriations; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 2580** to **HB 1489**.

Pending further consideration of **CS for CS for SB 2580** as amended, on motion by Senator Fasano, by two-thirds vote **HB 1489** was withdrawn from the Committees on Commerce and Consumer Services; Education Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

On motion by Senator Fasano, by two-thirds vote—

HB 1489—A bill to be entitled An act relating to the state's aerospace industry; redesignating the "Florida Space Authority" as "Space Florida"; creating s. 331.3011, F.S.; providing legislative intent; amending s. 331.302, F.S.; establishing and creating Space Florida as an independent special district, a body politic and corporate, for certain purposes; providing purposes and duties and responsibilities of Space Florida; providing definitions; revising and consolidating the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; deleting authority to establish facilities and complementary activities; providing additional powers and duties of Space Florida; prohibiting Space Florida from endorsing political candidates or making campaign contributions; characterizing certain property as Space Florida territory; creating s. 331.3051, F.S.; providing additional powers and responsibilities of Space Florida relating to the state's aerospace industry; deleting authority to exercise eminent domain powers; requiring Space Florida to create a business plan and a marketing campaign; directing Space Florida to enter into agreements

with the Department of Education, the Department of Transportation, Enterprise Florida, Inc., and Workforce Florida, Inc., for certain purposes; requiring Space Florida to coordinate its activities with federal and state agencies; amending s. 331.308, F.S.; replacing provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; providing for designation and appointment of members; providing requirements of board members; providing for terms, removal of members, and filling of vacancies; providing for board meetings; specifying service without compensation; providing for reimbursement of certain expenses; providing financial disclosure requirements; revising powers and duties of the board; amending ss. 331.301, 331.303, 331.305, 331.306, 331.309, 331.310, 331.3101, 331.311, 331.312, 331.313, 331.316, 331.317, 331.318, 331.319, 331.320, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.355, 331.360, and 331.369, F.S., to conform; amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, and 288.9415, F.S., to conform; amending s. 212.08, F.S.; revising the exemption from the sales and use tax on certain machinery and equipment; creating s. 1004.86, F.S.; requiring the Department of Education to contract for the establishment of the Florida Center for Mathematics and Science Education Research at a public or private university; specifying requirements for the center; repealing s. 331.314, F.S., relating to the exclusive authority of the Florida Space Authority to regulate spaceports; repealing s. 331.315, F.S., relating to maintenance of projects across rights-of-way; repealing s. 331.367, F.S., relating to the Spaceport Management Council; repealing s. 331.368, F.S., relating to the Florida Space Research Institute; repealing ss. 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417, and 331.419, F.S., relating to the Florida Aerospace Finance Corporation; requiring the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation to submit articles of dissolution to the Department of State by a specified date; providing that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requiring the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requiring the board of directors of Space Florida to hold its first meeting by a specified date; amending s. 228.1224, F.S.; requiring the Florida Commission on Tourism to advise and cooperate with Space Florida under certain circumstances; amending ss. 288.9015, 334.044, 445.004, and 1001.10, F.S.; requiring Enterprise Florida, Inc., the Department of Transportation, Workforce Florida, Inc., and the Commissioner of Education to enter into agreement with Space Florida for certain purposes; providing appropriations; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2580** as amended and by two-thirds vote read the second time by title.

Senator Posey moved the following amendment:

Amendment 1 (284472)(with title amendment)—Between lines 2516 and 2517, insert:

Section 69. *Notwithstanding s. 331.308(1)(f), Florida Statutes, the current board appointees, including ex officio appointees, to the Florida Space Authority Board of Supervisors shall complete their appointed terms as members of the Space Florida Board and shall assist Space Florida with its transition. Their historical perspective, insight, and expertise will ensure continuity of operations. The Governor shall make appointments to fill the remaining vacancies by July 1, 2006. Other vacancies occurring prior to the expiration of a term may be filled as provided in this section. The board of directors of Space Florida shall hold its first meeting by August 1, 2006. The board of directors shall appoint a president by September 1, 2006. The Executive Office of the Governor shall provide staffing and transition assistance to Space Florida until December 31, 2006.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 82, after the semicolon (;) insert: requiring current Florida Space Authority board members to complete their terms as appointees of the Space Florida board; requiring the Governor to appoint the remaining members of the board; providing for vacancies; providing for staffing;

MOTION

On motion by Senator Posey, the rules were waived to allow the following amendment to be considered:

Senator Posey moved the following substitute amendment which was adopted:

Amendment 2 (234356)(with title amendment)—Between lines 2516 and 2517, insert:

Section 69. *Notwithstanding s. 331.308(1)(f), Florida Statutes, the current board appointees, including ex officio appointees, to the Florida Space Authority Board of Supervisors shall complete their appointed terms as members of the Space Florida Board and shall assist Space Florida with its transition. Their historical perspective, insight, and expertise will ensure continuity of operations. The Governor shall make appointments to fill the remaining vacancies by July 1, 2006. Other vacancies occurring prior to the expiration of a term may be filled as provided in this act. The board of directors of Space Florida shall hold its first meeting by August 1, 2006. The board of directors shall appoint a president by September 1, 2006. The Executive Office of the Governor shall provide staffing and transition assistance to Space Florida until December 31, 2006.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 82, after the semicolon (;) insert: requiring current Florida Space Authority board members to complete their terms as appointees of the Space Florida board; requiring the Governor to appoint the remaining members of the board; providing for vacancies; providing for staffing;

MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment which was adopted:

Amendment 3 (044442)—On page 94, line 2493 through page 95, line 2516, delete those lines and insert:

Section 68. *There is appropriated for the 2006-2007 state fiscal year to the Office of Tourism, Trade, and Economic Development within the Office of the Governor \$35 million of nonrecurring funds from the General Revenue Fund to be used for infrastructure needs related to the development of the National Aeronautics and Space Administration's Crew Exploration Vehicle; \$3 million of nonrecurring funds from the General Revenue Fund for operational needs of Space Florida, including operational funding through September 1, 2006, for the Florida Space Authority, the Florida Aerospace Finance Corporation, and the Florida Space Research Institute; and \$4 million of nonrecurring funds from the General Revenue Fund for implementation of innovative education programs and financing assistance for aerospace business-development projects.*

Pursuant to Rule 4.19, **HB 1489** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for CS for SB 2728—A bill to be entitled An act relating to economic development incentives; amending s. 288.1088, F.S.; providing eligibility requirements for the receipt of funds from the Quick Action Closing Fund; authorizing the waiver of certain criteria for projects that would significantly benefit the economy; providing additional requirements for Enterprise Florida, Inc., in evaluating proposed projects; requiring that a contract for payment from the Quick Action Closing Fund provide that the payment of moneys is contingent upon a sufficient appropriation of funds by the Legislature and upon the release of appropriated funds by the Legislative Budget Commission; deleting provisions authorizing the Governor to reallocate unencumbered funds in the Quick Action Closing Fund to other economic development programs; creating s. 288.1089, F.S.; creating the Innovation Incentive Program within the Office of Tourism, Trade, and Economic Development for

certain purposes; providing definitions; providing an incentive-award limitation; providing for award application and eligibility; providing qualification requirements; providing proposal evaluation and recommendations requirements for Enterprise Florida, Inc.; providing for negotiation of award amounts by the office; providing for agreements for payments of certain moneys under certain circumstances; providing criteria for award approval or disapproval; providing for incentive payment agreements; requiring Enterprise Florida, Inc., to assist the office in validating certain business performances; requiring a report to the Governor and Legislature; authorizing the office to allocate certain funds for certain purposes; amending s. 403.973, F.S.; providing for review of possible sites for projects funded under s. 288.1089, F.S.; providing appropriations; effectuating a fund transfer; providing for future expiration of the act; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (072138)—On page 11, lines 21-28, delete those lines and insert:

b. Result in the creation of at least 500 direct, new jobs if the project is located in a rural area, a brownfield area, or an enterprise zone.

2. Have an activity or product that is within an industry that is designated as a target industry business under s. 288.106 or in a designated sector under s. 288.108.

3.a. Have a cumulative investment of at least \$250 million within a 10-year period; or

Pursuant to Rule 4.19, **CS for CS for SB 2728** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dockery—

CS for SB 1528—A bill to be entitled An act relating to environmental protection; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law; amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; providing that certain counties are encouraged to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for a litter survey; deleting the provisions relating to the Wildflower Advisory Council; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to the Wildflower Foundation, Inc.; specifying uses of the proceeds; requiring that such proceeds be distributed to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending s. 403.704, F.S.; deleting certain obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting certain obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; providing that industrial byproducts are not regulated under certain circumstances; conforming a cross-reference; clarifying certain provisions governing dredged material; amending s. 403.7061, F.S.; authorizing the Department of Environmental Protection to initiate rulemaking regarding waste-to-energy facilities; amending s. 403.707, F.S.; clarifying the Department of Environmental Preservation's permit authority; deleting certain obsolete provisions; extending the time period for a public hearing when a local government seeks to exempt certain material from the definition of construction and demolition debris; providing that upon the transfer of ownership or control of a solid waste facility that facility may not operate until the permit is transferred by the Department of Environmental Protection or consent is given to operate by the current permit holder; creating s. 403.7071, F.S.; providing for the management and

disposal of storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying certain provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees; amending s. 403.7095, F.S., relating to the solid waste management grant program; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that appear elsewhere in law and clarifying certain financial-disclosure provisions; amending s. 403.716, F.S.; deleting certain provisions relating to the training of certain facility operators; amending s. 403.717, F.S.; clarifying the provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; amending s. 403.7226, F.S.; deleting a provision requiring a report that is duplicative of other reports; amending s. 403.724, F.S.; clarifying certain financial-assurance provisions; amending s. 403.7255, F.S.; providing additional requirements regarding the public notification of certain contaminated sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending s. 403.7265, F.S.; deleting provisions relating to the development of a statewide local hazardous waste management plan; requiring a local government to provide matching funds for certain grants; providing that matching funds are not required under certain conditions; repealing s. 403.7075, F.S., relating to the submission of certain plans for solid waste management facilities; repealing s. 403.756, F.S., relating to an annual used-oil report; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, 403.7893, and 403.7895, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; providing an effective date.

—was read the second time by title.

Senator Dockery moved the following amendment which was adopted:

Amendment 1 (501334)—On page 57, line 10, after “programs” insert: *at the local level*

Pursuant to Rule 4.19, **CS for SB 1528** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

CS for SB 202—A bill to be entitled An act relating to consumer protection; amending ss. 501.203 and 501.204, F.S.; changing obsolete dates; reenacting and amending s. 501.207, F.S., relating to remedies of the enforcing authority under the Florida Deceptive and Unfair Trade Practices Act; providing that the court may order actions brought under that act on behalf of an enterprise; creating s. 501.972, F.S.; providing requirements for protection of a creation not subject to copyright; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 202** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich, by two-thirds vote **HB 329** was withdrawn from the Committees on Children and Families; and Health and Human Services Appropriations.

On motion by Senator Rich, by two-thirds vote—

HB 329—A bill to be entitled An act relating to adult protective services; amending s. 415.102, F.S.; redefining the term “abuse” to include actions by a relative or a household member which are likely to harm a vulnerable adult; redefining the term “neglect” to include actions of a vulnerable adult against himself or herself; amending s. 415.1051, F.S.; providing for the Department of Children and Family Services to petition the court for an order authorizing the provision of protective services for a vulnerable adult in need of services; amending s. 415.107, F.S.; authorizing the Agency for Persons with Disabilities to have access to certain otherwise confidential records and reports; providing an effective date.

—a companion measure, was substituted for **CS for SB 1182** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 329** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for SB 1548—A bill to be entitled An act relating to hospices; amending s. 400.601, F.S.; revising the definition of the term “hospice”; amending s. 400.602, F.S.; requiring that a hospice state the year of initial licensure in the state; prescribing the manner and placement of such notification; deleting provisions authorizing the transfer of certain hospices and the acquisition of additional licenses; amending s. 400.606, F.S.; requiring the Agency for Health Care Administration to deny a license or renewal of a license to hospices that fail to meet certain conditions; amending s. 400.6105, F.S.; requiring a hospice to use trained volunteers and to document and report certain volunteer information; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature; providing legislative intent; providing that the Department of Elderly Affairs, in conjunction with the agency and all hospices licensed in the state, develop certain outcome measures; providing for adoption of national initiatives; requiring an annual report; providing for severability; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1548** to **HB 1417**.

Pending further consideration of **CS for SB 1548** as amended, on motion by Senator Atwater, by two-thirds vote **HB 1417** was withdrawn from the Committees on Health Care; and Health and Human Services Appropriations.

On motion by Senator Atwater, by two-thirds vote—

HB 1417—A bill to be entitled An act relating to hospices; amending s. 400.601, F.S.; revising the definition of the term “hospice”; amending s. 400.602, F.S.; requiring that a hospice state the year of initial licensure in the state; prescribing the manner and placement of such notification; providing an exception; deleting provisions authorizing the transfer of certain hospices and the acquisition of additional licenses; amending s. 400.606, F.S.; providing that the Agency for Health Care Administration may not deny a license to applicants that fail to meet certain conditions when good cause for such failure can be demonstrated; amending s. 400.6105, F.S.; requiring a hospice to use trained volunteers and to document and report certain volunteer information; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature; providing legislative intent; requiring the Department of Elderly Affairs, in conjunction with the agency, to develop certain outcome measures; providing for adoption of national initiatives; requiring an annual report; providing for severability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1548** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 1417** was placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano—

CS for SB 1438—A bill to be entitled An act relating to custodial requirements for public records; amending s. 119.021, F.S.; clarifying the custodial requirements for a record that is confidential and exempt from disclosure pursuant to law; authorizing the custodian of such record to require an agency or other governmental entity that receives the record to acknowledge in writing the confidential and exempt status of the record; providing an effective date.

—was read the second time by title.

Senator Argenziano moved the following amendment which was adopted:

Amendment 1 (314926)—On page 4, lines 21-23, delete those lines and insert: *confidential and exempt record*:

1. *By an agency acting on behalf of the custodian of that record;*

Pursuant to Rule 4.19, **CS for SB 1438** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos, by two-thirds vote **HB 317** was withdrawn from the Committees on Regulated Industries; Commerce and Consumer Services; and Community Affairs.

On motion by Senator Haridopolos—

HB 317—A bill to be entitled An act relating to stand-alone bars; amending s. 561.695, F.S.; providing a penalty for a licensed vendor who knowingly makes a false statement on an annual compliance affidavit; removing a requirement that licensed vendors file a procedures report regarding compliance with certain food service limitations; providing an effective date.

—a companion measure, was substituted for **CS for SB 600** and read the second time by title.

Pursuant to Rule 4.19, **HB 317** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise, by two-thirds vote **HB 7137** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Productivity.

On motion by Senator Wise, by two-thirds vote—

HB 7137—A bill to be entitled An act relating to drug testing within the Department of Corrections; amending s. 944.474, F.S.; authorizing the department to develop a program for testing employees who are in safety-sensitive and special risk positions for certain controlled substances based upon a reasonable suspicion; providing for the reasonable suspicion to include violent acts or behavior of an employee while on or off duty; requiring the department to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1736** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7137** was placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

SB 704—A bill to be entitled An act relating to automated teller machine transaction charges; creating s. 655.966, F.S.; authorizing the owner of an automated teller machine to charge an access fee or surcharge for transactions using accounts from certain financial institutions; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (540904)(with title amendment)—On page 1, lines 15-18, delete those lines and insert: *operator of an automated teller machine, as defined in s. 655.960(3), may charge an access fee or surcharge, not otherwise prohibited under state or federal law, to a customer conducting a transaction using an account from a financial institution, as defined in s. 655.005(1)(h), which is located*

And the title is amended as follows:

On page 1, line 4, delete “owner” and insert: *operator*

Pursuant to Rule 4.19, **SB 704** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 888** was deferred.

THE PRESIDENT PRESIDING

On motion by Senator Campbell, by two-thirds vote **HB 7007** was withdrawn from the Committees on Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator Campbell, by two-thirds vote—

HB 7007—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding child support services; amending s. 61.1827, F.S., which provides an exemption from public records requirements for information that reveals the identity of applicants for or recipients of child support services; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1078** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7007** was placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano—

CS for SB 726—A bill to be entitled An act relating to private investigative, private security, and repossession services; amending s. 493.6106, F.S.; increasing the minimum age required for certain licensees; amending s. 493.6113, F.S.; conforming a provision requiring certification of insurance coverage; requiring certain licensees to complete specified continuing education; requiring the Department of Agriculture and Consumer Services to establish by rule criteria for the approval of continuing education courses and providers and the form for certificates of completion; amending s. 493.6202, F.S.; requiring the department to establish by rule certain fees relating to private investigative services; amending s. 493.6203, F.S.; requiring passage of an examination for licensure as a private investigator; providing an exemption for certain licensees; requiring reexamination for relicensure under certain circumstances; requiring successful completion of certain coursework and passage of an examination for licensure as a private investigator intern; requiring the department to establish by rule the general content and the form for certificates of completion of such training and criteria for the examination; requiring reexamination for relicensure under certain circumstances; amending s. 493.6406, F.S.; revising the information that is required to be included in an application for licensure as a repossession services school or training facility; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 726** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise, by two-thirds vote **HB 599** was withdrawn from the Committees on Governmental Oversight and Productivity; Judiciary; and Ways and Means.

On motion by Senator Wise, by two-thirds vote—

HB 599—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; creating s. 14.31, F.S.; providing legislative findings and intent; creating the Florida Faith-based and Community-based Advisory Council within the Executive Office of the Governor for certain purposes; providing for council membership; providing for terms of members; providing for successor appointments; providing for meetings and organization of the council; specifying serving without compensation; providing for per diem and travel expenses; specifying required activities of the council; specifying restricted activities; requiring a report to the Governor and Legislature; providing for future repeal and abolition of the council; providing an effective date.

—a companion measure, was substituted for **CS for SB 1232** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 599** was placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos—

SB 2434—A bill to be entitled An act relating to travel to terrorist states; amending s. 1011.81, F.S.; prohibiting the use of funds from the Community College Program Fund, or funds made available to community colleges from outside the fund, to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; defining “terrorist state”; amending s. 1011.90, F.S.; prohibiting the use of state or nonstate funds made available to state universities to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; defining “terrorist state”; amending s. 112.061, F.S.; providing that travel expenses of public officers or employees for the purpose of implementing, organizing, directing, coordinating, or administering activities related to or involving travel to a terrorist state shall not be allowed under any circumstances; defining “terrorist state”; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Aronberg, the rules were waived to allow the following amendment to be considered:

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (561248)(with title amendment)—On page 2, delete line 14 and insert: *related to, or involving, travel to a terrorist state. For*

And the title is amended as follows:

On page 1, delete line 20 and insert: *related to, or involving, travel to a terrorist*

Pursuant to Rule 4.19, **SB 2434** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

CS for SB 730—A bill to be entitled An act relating to accessories to a crime; providing a short title; amending s. 777.03, F.S.; limiting the provision that exempts certain members of an offender's family from being charged with the offense of acting as an accessory after the fact to circumstances involving third-degree felony offenses; specifying additional actions that constitute being an accessory after the fact, for which penalties are provided; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 730** was placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos, by two-thirds vote **HB 41** was withdrawn from the Committees on Criminal Justice; and Judiciary.

On motion by Senator Haridopolos—

HB 41—A bill to be entitled An act relating to administrative expunction of nonjudicial arrest records; amending s. 943.0581, F.S.; requiring the arresting law enforcement agency to apply to the Department of Law Enforcement for the administrative expunction of certain nonjudicial records of arrest; authorizing certain persons to apply directly to the department for administrative expunction in certain circumstances; requiring such persons to support such application with an endorsement; requiring an affidavit with specified information; providing that an application, endorsement, or affidavit may not be admitted into evidence or construed as an admission of liability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1844** and read the second time by title.

Pursuant to Rule 4.19, **HB 41** was placed on the calendar of Bills on Third Reading.

On motion by Senator Jones, by two-thirds vote **HB 7047** was withdrawn from the Committees on Regulated Industries; Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator Jones, by two-thirds vote—

HB 7047—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding the tobacco settlement agreement; amending s. 569.215, F.S., which provides an exemption from public records requirements for proprietary confidential business information received by the Governor, the Attorney General, or outside counsel representing the State of Florida in negotiations for settlement payments pursuant to the settlement agreement in the case of State of Florida et al. v. American Tobacco Company et al., or received by the Chief Financial Officer or the Auditor General for any purpose relating to verifying settlement payments made pursuant to the settlement agreement; clarifying the definition of “trade secrets” for purposes of the exemption; making editorial changes; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 1530** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7047** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 232—A bill to be entitled An act relating to lawful testing for alcohol, chemical substances, or controlled substances; amending s. 316.1932, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 316.1939, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; amending s. 327.352, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 327.359, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 232** to **HB 187**.

Pending further consideration of **CS for CS for SB 232** as amended, on motion by Senator Fasano, by two-thirds vote **HB 187** was withdrawn from the Committees on Criminal Justice; and Transportation.

On motion by Senator Fasano, by two-thirds vote—

HB 187—A bill to be entitled An act relating to lawful testing for alcohol, chemical substances, or controlled substances; amending s. 316.1932, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 316.1939, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing penalties for refusal to submit to testing; amending s. 327.352, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled

substances; amending s. 327.359, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing penalties for refusal to submit to testing; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 232** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Pruitt, the rules were waived to allow the following amendment to be considered:

Senator Pruitt moved the following amendment which was adopted:

Amendment 1 (181232)(with title amendment)—On page 22, between lines 566 and 567, insert:

Section 5. *The Office of Program Policy Analysis and Government Accountability shall evaluate the implementation of this act in order to determine its substantive and fiscal effect. The study must include an analysis to determine the effect on local governments, particularly county detention facilities, with respect to absorbing additional detainees who refuse to submit to testing. In addition, the study must determine the effectiveness of the newly required refusal policy in deterring impaired driving. As part of the study, OPPAGA shall survey rural and urban areas. Findings from this study shall be reported to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 25, after the semicolon (;) insert: requiring the Office of Program Policy Analysis and Government Accountability to conduct a study concerning implementation of the act;

On motion by Senator Fasano, further consideration of **HB 187** as amended was deferred.

On motion by Senator Wise, by two-thirds vote—

CS for SB 744—A bill to be entitled An act relating to electrical and alarm system contracting; amending s. 489.503, F.S.; exempting persons who install or repair lightning rods from electrical and alarm system contractor licensing provisions; amending s. 489.505, F.S.; revising definitions; amending s. 489.513, F.S.; providing eligibility requirements for registering with the Department of Business and Professional Regulation as an electrical contractor or alarm system contractor; amending s. 489.529, F.S.; requiring a central monitoring station to employ call-verification methods under certain circumstances; amending s. 489.530, F.S.; exempting a fire alarm system from the requirement that it have a device that automatically terminates its audible signal after a certain period; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendments which were adopted:

Amendment 1 (960722)(with title amendment)—On page 1, between lines 23 and 24, insert:

Section 1. Subsection (5) is added to section 489.516, Florida Statutes, to read:

489.516 Qualifications to practice; restrictions; prerequisites.—

(5) *Notwithstanding any other provision to the contrary, a certified electrical contractor, registered alarm system contractor I, registered alarm system contractor II, or alarm system contractor I or alarm system contractor II that is a certified alarm system contractor is exempt from any local law, local ordinance, or local code that requires a contractor to be listed or placarded by a nationally recognized testing laboratory or to be certified by any regionally or nationally recognized certification organization. However, a county, municipality, or special district may require any such electrical contractor or alarm system contractor to provide, at the final inspection of a fire alarm system, the documentation required*

by NFPA No. 72, "National Fire Alarm Code," for installation and monitoring. This subsection does not prohibit a county, municipality, or special district from requiring compliance with the Florida Fire Prevention Code or with NFPA No. 72.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 3, after the first semicolon (;) insert: amending s. 489.516, F.S.; exempting certain electrical and alarm system contractors from ordinances or codes of local governments or special districts requiring various types of recognition by certain national entities; authorizing local governments or special districts to require such contractors to provide certain documentation at the final inspection of an alarm system; reserving the authority of local governments and special districts to require compliance with the Florida Fire Prevention Code and NFPA No. 72;

Amendment 2 (051046)(with title amendment)—On page 1, line 24 through page 6, line 7, delete those lines and insert:

Section 1. Paragraphs (a) and (b) of subsection (1) of section 489.128, Florida Statutes, are amended to read:

489.128 Contracts entered into by unlicensed contractors unenforceable.—

(1) As a matter of public policy, contracts entered into on or after October 1, 1990, by an unlicensed contractor shall be unenforceable in law or in equity by the unlicensed contractor.

(a) For purposes of this section, an individual is unlicensed if the individual does not have a license required by this part concerning the scope of the work to be performed under the contract. A business organization is unlicensed if the business organization does not have a primary or secondary qualifying agent in accordance with this part concerning the scope of the work to be performed under the contract. *For purposes of this section, if no state or local license is required for the scope of work to be performed under the contract, the individual performing that work shall not be considered unlicensed.*

(b) For purposes of this section, an individual or business organization ~~may shall~~ not be considered unlicensed for failing to have an occupational license certificate issued under the authority of chapter 205. A business organization ~~may shall~~ not be considered unlicensed for failing to have a certificate of authority as required by ss. 489.119 and 489.127. *For purposes of this section, a business organization entering into the contract may not be considered unlicensed if, before the date established by paragraph (c), an individual possessing a license required by this part concerning the scope of the work to be performed under the contract has submitted an application for a certificate of authority designating that individual as a qualifying agent for the business organization entering into the contract, and the application was not acted upon by the department or applicable board within the time limitations imposed by s. 120.60.*

Section 2. Subsections (21) and (22) are added to section 489.503, Florida Statutes, to read:

489.503 Exemptions.—This part does not apply to:

(21) *Alarm system inspections, audits, or quality assurance services performed by a nationally recognized testing laboratory that the Occupational Safety and Health Administration has recognized as meeting the requirements of 29 C.F.R. s. 1910.7.*

(22) *Any person who installs or repairs lightning rods or related systems.*

Section 3. Subsections (2), (7), (25), (27), and (28) of section 489.505, Florida Statutes, are amended, and subsection (29) is added to that section, to read:

489.505 Definitions.—As used in this part:

(2) "Alarm system contractor" means a person whose business includes the execution of contracts requiring the ability, experience, science, knowledge, and skill to lay out, fabricate, install, maintain, alter, repair, monitor, inspect, replace, or service alarm systems for compensation, including, but not limited to, all types of alarm systems for all

purposes. *This term also means any person, firm, or corporation that engages in the business of alarm contracting under an expressed or implied contract; that undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to engage in the business of alarm contracting; or that by itself or by or through others engages in the business of alarm contracting.*

(a) "Alarm system contractor I" means an alarm system contractor whose business includes all types of alarm systems for all purposes.

(b) "Alarm system contractor II" means an alarm system contractor whose business includes all types of alarm systems other than fire, for all purposes, except as herein provided.

(7) "Certified alarm system contractor" means an alarm system contractor who possesses a certificate of competency issued by the department. The scope of certification is limited to alarm circuits originating in the alarm control panel and equipment governed by the applicable provisions of Articles 725, 760, 770, 800, and 810 of the National Electrical Code, Current Edition, and National Fire Protection Association Standard 72, Current Edition. The scope of certification for alarm system contractors also includes the installation, repair, fabrication, erection, alteration, addition, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, or any part thereof not to exceed 98 volts (RMS) ~~77-volts~~, when those items are for the purpose of transmitting data or proprietary video (satellite systems that are not part of a community antenna television or radio distribution system) or providing central vacuum capability or electric locks; however, this provision governing the scope of certification does not create any mandatory licensure requirement.

(25) "Burglar alarm system agent" means a person:

(a) Who is employed by a licensed alarm system contractor or licensed electrical contractor;

(b) Who is performing duties which are an element of an activity which constitutes alarm system contracting requiring licensure under this part; and

(c) Whose specific duties include any of the following: altering, installing, maintaining, moving, repairing, replacing, servicing, selling ~~onsite~~, or monitoring an intrusion or burglar alarm system for compensation.

(27) "Monitoring" means to receive electrical or electronic signals, originating from any ~~structure building~~ within the state or outside the state, regardless of whether those signals are relayed through a jurisdiction outside the state, where such signals are; produced by any security, medical, fire, or burglar alarm, closed circuit television camera, access-control system, or related or similar protective system and are intended by design to initiate a response thereto. A person shall not have committed the act of monitoring if:

(a) The person is an occupant of, or an employee working within, protected premises;

(b) The person initiates emergency action in response to hearing or observing an alarm signal;

(c) The person's action is incidental to his or her primary responsibilities; and

(d) The person is not employed in a proprietary monitoring facility, as defined by the National Fire Protection Association pursuant to rule adopted under chapter 633.

(28) "Fire alarm system agent" means a person:

(a) Who is employed by a licensed fire alarm contractor or certified unlimited electrical contractor;

(b) Who is performing duties which are an element of an activity that constitutes fire alarm system contracting requiring certification under this part; and

(c) Whose specific duties include any of the following: altering, installing, maintaining, moving, repairing, replacing, servicing, selling ~~onsite~~, or monitoring a fire alarm system for compensation.

(29) "Nationally recognized testing laboratory" means an organization that the Occupational Safety and Health Administration has legally recognized to be in compliance with 29 C.F.R. s. 1910.7 and that provides quality assurance, product testing, or certification services.

Section 4. Subsection (1) of section 489.513, Florida Statutes, is amended to read:

489.513 Registration; application; requirements.—

(1) Any person engaged in the business of contracting in the state shall be registered in the proper classification, unless he or she is certified. Any person desiring to be a registered contractor shall apply to the department for registration and must:

(a) Be at least 18 years old;

(b) Be of good moral character; and

(c) Meet eligibility requirements according to the following criteria:

1. As used in this subsection, the term "good moral character" means a personal history of honesty, fairness, and respect for the rights of others and for state and federal law.

2. The board may determine that an individual applying for registration is ineligible due to failure to satisfy the requirement of good moral character only if:

a. There is a substantial connection between the lack of good moral character of the individual and the professional responsibilities of a registered contractor; and

b. The finding by the board of lack of good moral character is supported by clear and convincing evidence.

3. When an individual is found to be unqualified because of lack of good moral character, the board must furnish such individual a statement containing the findings of the board, a complete record of evidence upon which the determination was based, and a notice of the rights of the individual to a rehearing and an appeal.

Section 5. Section 489.529, Florida Statutes, is amended to read:

489.529 Alarm verification calls required.—All residential or commercial intrusion/burglary alarms that have central monitoring must have a central monitoring verification call made to the premises generating the alarm signal, prior to alarm monitor personnel contacting a law enforcement agency for alarm dispatch. The central monitoring station must employ call-verification methods for the premises generating the alarm signal if the first call is not answered. However, if the intrusion/burglary alarms have properly operating visual or auditory sensors that enable the monitoring personnel to verify the alarm signal, verification calling is not required.

Section 6. Section 489.530, Florida Statutes, is amended to read:

489.530 Audible alarms.—Every audible alarm system installed by a licensed contractor shall have a device to automatically terminate the audible signal within 15 minutes of activation. A fire alarm system, whether installed voluntarily or as a requirement of an adopted code, which employs an audible fire signal is exempt as required by such code.

Section 7. Paragraph (a) of subsection (1) of section 489.532, Florida Statutes, is amended to read:

489.532 Contracts entered into by unlicensed contractors unenforceable.—

(1) As a matter of public policy, contracts entered into on or after October 1, 1990, by an unlicensed contractor shall be unenforceable in law or in equity by the unlicensed contractor.

(a) For purposes of this section, an individual is unlicensed if the individual does not have a license required by this part concerning the scope of the work to be performed under the contract. A business organization is unlicensed if the business organization does not have a primary or secondary qualifying agent in accordance with this part concerning the scope of the work to be performed under the contract. For purposes of this section, if no state or local license is required for the scope of work

to be performed under the contract, the individual performing that work shall not be considered unlicensed.

Section 8. *Sections 1 and 7 are intended to be remedial in nature and to clarify existing law. Sections 1 and 7 shall apply retroactively to all actions, including any action on a lien or bond claim, initiated on or after, or pending as of, July 1, 2006. If the retroactivity of any provision of section 1 or section 7 or its retroactive application to any person or circumstance is held invalid, the invalidity does not affect the retroactivity or retroactive application of other provisions of sections 1 and 7.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 2-7, delete those lines and insert: An act relating to contracting; amending ss. 489.128 and 489.532, F.S.; providing that individuals performing certain construction contracting or electrical and alarm system contracting work are not considered unlicensed for purposes of contract enforceability; providing for retroactive application; amending s. 489.503, F.S.; exempting nationally recognized testing laboratories and persons who install or repair lightning rods from certain alarm system contracting provisions; amending s. 489.505, F.S.; revising definitions; defining the term “nationally recognized testing laboratory”; amending

Pursuant to Rule 4.19, **CS for SB 744** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote—

CS for SB 1956—A bill to be entitled An act relating to land trusts; amending s. 689.071, F.S.; providing a short title; providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; deleting a requirement that a trustee be qualified to act as a fiduciary; deleting obsolete references to “dower” and “curtesy”; specifying rights, liabilities, and duties of land trust beneficiaries; providing that the principal residence of a beneficiary which is held in a land trust is entitled to the homestead tax exemption under certain circumstances; providing for the appointment of successor trustees; providing requirements for declarations of appointment; providing that a trustee of a land trust may be a creditor of the trust or of a trust beneficiary; amending s. 201.02, F.S.; conforming a cross-reference; providing application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1956** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 1312—A bill to be entitled An act relating to notaries public; amending s. 117.05, F.S.; requiring that specified notaries public provide services without charge to a military veteran or a firefighter or law enforcement officer who is applying for certain benefits; creating s. 117.071, F.S.; requiring that a notary public record each notarial act in a journal; providing an exception; specifying the information to be recorded; requiring that a journal be retained for a specified period; requiring that a notary public notify the Executive Office of the Governor if the journal is stolen, lost, or destroyed; providing that failure to comply with the requirements for keeping a journal constitutes grounds for suspension or nonrenewal of a notary public's commission; amending s. 117.10, F.S.; exempting certain law enforcement officers from s. 117.071, F.S.; providing an effective date.

—was read the second time by title.

An amendment was considered and failed and amendments were considered and adopted to conform **CS for SB 1312** to **HB 567**.

Pending further consideration of **CS for SB 1312** as amended, on motion by Senator Fasano, by two-thirds vote **HB 567** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Productivity.

On motion by Senator Fasano, by two-thirds vote—

HB 567—A bill to be entitled An act relating to notaries public; amending s. 117.05, F.S.; requiring notaries public to provide services without charge to certain persons; creating s. 117.071, F.S.; requiring notaries public to maintain a journal and to record notarial acts; providing an exception; providing requirements for journal entries; requiring retention of the journal for a specified period after the last entry and requiring certain notice upon failure to do so; providing that failure to comply with such requirements may constitute grounds for suspension or nonrenewal of the notary public commission by the Executive Office of the Governor; amending s. 117.10, F.S.; providing an exemption for certain law enforcement officers; providing an effective date.

—a companion measure, was substituted for **CS for SB 1312** as amended and by two-thirds vote read the second time by title.

Senator Lynn moved the following amendment which failed:

Amendment 1 (114700)(with title amendment)—Between lines 80 and 81, insert:

Section 4. *This act does not apply to a notary public employed by a federal or state agency or local government, nor does the act apply to a notary public employed by the legislative or judicial branch of Florida government.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 14, after the semicolon (;) insert: providing applicability;

Senator Lawson moved the following amendment which was adopted:

Amendment 2 (065054)(with title amendment)—On page 2, line 46, after the period (.) insert: *A notary who is employed by a licensed title insurance agency in this state or by a title insurance underwriter authorized to conduct business in this state is exempt from this section.*

And the title is amended as follows:

On page 1, line 6, delete “an exception” and insert: exceptions

The vote was:

Yeas—19

Argenziano	Geller	Rich
Aronberg	Hill	Siplin
Bullard	King	Villalobos
Campbell	Klein	Webster
Crist	Lawson	Wilson
Dawson	Lynn	
Dockery	Miller	

Nays—17

Mr. President	Constantine	Peaden
Alexander	Diaz de la Portilla	Posey
Atwater	Fasano	Pruitt
Baker	Haridopolos	Sebesta
Bennett	Jones	Wise
Carlton	Margolis	

MOTION

On motion by Senator Lynn, the rules were waived to allow the following amendment to be considered:

Senator Lynn moved the following amendment which failed:

Amendment 3 (751760)(with title amendment)—Between lines 69 and 70, insert: (3) *This section does not apply to a notary public employed by a federal or state agency or local government, nor does this section apply to a notary public employed by the legislative or judicial branch of Florida government.*

And the title is amended as follows:

On line 6, delete “an exception” and insert: exceptions

MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment which was adopted:

Amendment 4 (403520)—On line 37, after the period (.) insert: *This subparagraph does not apply unless the notary public who performs the notarial act is an employee of a state agency and is performing notarial acts as part of the assigned duties of that employee.*

Pursuant to Rule 4.19, **HB 567** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for SB 1748—A bill to be entitled An act relating to juvenile justice; reorganizing ch. 985, F.S.; providing new section numbers and part titles; amending s. 985.01, F.S., relating to purposes and intent for the chapter; amending s. 985.02, F.S., relating to the legislative intent for the juvenile justice system; revising a reference and cross-references to conform; amending s. 985.03, F.S., relating to definitions for the chapter; amending, renumbering, and revising references and cross-references to conform; creating s. 985.0301, F.S., relating to the jurisdiction of the juvenile court; amending and renumbering s. 985.201, F.S.; amending and renumbering a provision of s. 985.219, F.S., that relates to such jurisdiction; revising references and cross-references to conform; creating s. 985.032, F.S., relating to legal representation for delinquency cases; renumbering s. 985.202, F.S.; creating s. 985.033, F.S., relating to the right to counsel; amending and renumbering s. 985.203, F.S.; revising references to conform; creating s. 985.035, F.S., relating to open hearings; renumbering s. 985.205, F.S.; creating s. 985.036, F.S., relating to the rights of victims in juvenile proceedings; amending and renumbering s. 985.206, F.S.; providing for the release of certain information to victims; creating s. 985.037, F.S., relating to punishment for contempt of court and alternative sanctions; amending and renumbering s. 985.216, F.S.; revising provisions relating to contempt of court; creating s. 985.039, F.S., relating to cost of supervision and care; amending and renumbering s. 985.2311, F.S.; amending and renumbering s. 985.04, F.S.; clarifying a provision relating to the release of certain information; revising references and cross-references to conform; creating s. 985.045, F.S., relating to court records; amending and renumbering s. 985.05, F.S.; revising references and cross-references to conform; creating s. 985.046, F.S., relating to the statewide information-sharing system and interagency workgroup; renumbering s. 985.06, F.S.; creating s. 985.047, F.S., relating to information systems; renumbering s. 985.08, F.S.; creating s. 985.101, F.S., relating to taking a child into custody; amending and renumbering s. 985.207, F.S.; creating s. 985.105, F.S., relating to intake and case management; renumbering a provision of s. 985.215, F.S., relating to transporting a child who has been taken into custody; revising a reference and cross-references to conform; creating s. 985.105, F.S., relating to youth custody officers; amending and renumbering s. 985.2075, F.S.; creating s. 985.11, F.S., relating to fingerprinting and photographing; amending and renumbering s. 985.212, F.S.; revising a cross-reference to conform; creating s. 985.115, F.S., relating to release or delivery from custody; amending and renumbering provisions of s. 985.211, F.S., that relate to such release or delivery; revising cross-references to conform; creating s. 985.12, F.S., relating to civil citations; amending and renumbering s. 985.301, F.S.; revising a cross-reference to conform; creating s. 985.125, F.S., relating to prearrest or postarrest diversion programs; renumbering s. 985.3065, F.S.; creating s. 985.13, F.S., relating to probable cause affidavits; amending and renumbering provisions of s. 985.211, F.S., that relate to probable cause affidavits and certain requirements upon the taking of a child into custody; revising cross-references to conform; creating s. 985.135, F.S., relating to juvenile assessment centers; amending and renumbering s. 985.209, F.S.; creating s. 985.14, F.S., relating to the intake and case management system; amending, renumbering, and redesignating provisions of s. 985.21, F.S., that relate to intake and case management; revising cross-references to conform; creating s. 985.145, F.S., relating to the responsibilities of the juvenile probation officer during intake and to screenings and assessments; amending and redesignating provisions of s. 985.21, F.S., that relate to such responsibilities, screenings, and assessments; revising cross-references to conform; creating s. 985.15, F.S., relating to filing decisions in juvenile cases; revising cross-references to conform; creating s. 985.155, F.S., relating

to neighborhood restorative justice; renumbering s. 985.303, F.S.; creating s. 985.16, F.S., relating to community arbitration; amending and renumbering s. 985.304, F.S.; revising a reference to conform; creating s. 985.18, F.S., relating to medical, psychiatric, psychological, substance abuse, and educational examination and treatment; renumbering s. 985.224, F.S.; redesignating a provision of s. 985.215, F.S., that relates to comprehensive evaluations of certain youth; creating s. 985.185, F.S., relating to evaluations for dispositions; amending and renumbering provisions of s. 985.229, F.S., that relate to such evaluations; creating s. 985.19, F.S., relating to incompetency in juvenile delinquency cases; renumbering s. 985.223, F.S.; creating s. 985.195, F.S., relating to transfer to other treatment services; renumbering s. 985.418, F.S.; creating s. 985.24, F.S., relating to the use of detention and to prohibitions on the use of detention; renumbering provisions of s. 985.213, F.S., that relate to the use of detention; renumbering s. 985.214, F.S.; creating s. 985.245, F.S., relating to the risk assessment instrument; amending and renumbering a provision of s. 985.213, F.S., that relates to such instrument; revising cross-references to conform; creating s. 985.25, F.S., relating to detention intake; amending, renumbering, and redesignating provisions of s. 985.215, F.S., that relate to detention intake; revising cross-references to conform; creating s. 985.255, F.S., relating to detention criteria and detention hearings; amending and renumbering a provision of s. 985.215, F.S., that relates to such criteria and hearings; revising cross-references to conform; creating s. 985.26, F.S., relating to length of detention; amending, renumbering, and redesignating provisions of s. 985.215, F.S., that relate to length of detention; revising cross-references to conform; creating s. 985.265, F.S., relating to detention transfer and release, education of juvenile offenders while in detention or on detention status, and holding of juvenile offenders in adult jails; amending and renumbering provisions of s. 985.215, F.S., that relate to transfer, release, and holding juvenile offenders in adult jails; renumbering a provision of s. 985.213, F.S., that relates to education of juvenile offenders while in detention or on detention status; revising references and cross-references to conform; creating s. 985.27, F.S., relating to postcommitment detention of juvenile offenders while such offenders are awaiting residential placement; amending and redesignating provisions of s. 985.215, F.S., that relate to such detention; limiting the use of such detention; revising references to "detention" to clarify that such term means "secure detention" in certain circumstances; creating s. 985.275, F.S., relating to the detention of an escapee; amending and renumbering s. 985.208, F.S.; revising a cross-reference to conform; creating s. 985.318, F.S., relating to petitions; renumbering s. 985.218, F.S.; creating s. 985.319, F.S., relating to process and service; renumbering provisions of s. 985.219, F.S., that relate to process and service; creating s. 985.325, relating to prohibitions against threatening or dismissing employees; amending and renumbering s. 985.22, F.S.; revising cross-references to conform; creating s. 985.331, F.S., relating to court and witness fees; renumbering s. 985.221, F.S.; creating s. 985.335, F.S., relating to answering a petition; renumbering s. 985.222, F.S.; creating s. 985.345, F.S., relating to delinquency pretrial intervention programs; renumbering s. 985.306, F.S.; creating s. 985.35, F.S., relating to adjudicatory hearings, withholding of adjudication, and orders of adjudication; amending and renumbering s. 985.228, F.S.; repealing a provision prohibiting a person from possessing a firearm in certain circumstances; revising a reference and cross-references to conform; creating s. 985.43, F.S., relating to predisposition reports and other evaluations; amending and renumbering provisions of s. 985.229, F.S., that relate to such reports and evaluations; revising cross-references to conform; creating s. 985.433, F.S., relating to disposition hearings in delinquency cases; amending and renumbering s. 985.23, F.S.; clarifying who is considered a party to a juvenile case; specifying who must be given an opportunity to comment on the issue of disposition; revising cross-references to conform; amending a provision of s. 985.231, F.S., relating to requirement of written disposition orders; creating s. 985.435, F.S., relating to probation, postcommitment probation, and community service; amending and redesignating a provision of s. 985.231, F.S., relating to probation, postcommitment probation, and community control; creating s. 985.437, F.S., relating to restitution; revising a reference and cross-reference to conform; creating s. 985.439, F.S., relating to violations of probation or postcommitment probation; revising cross-references to conform; creating s. 985.441, F.S., relating to commitment; providing a requirement for commitment of a child as a juvenile sexual offender; revising cross-references to conform; creating s. 985.442, F.S., relating to the form of commitment; renumbering s. 985.232, F.S.; creating s. 985.445, F.S., relating to disposition of delinquency cases involving grand theft of a motor vehicle; amending and redesignating a provision of s. 985.231, F.S., that relates to disposition in such cases; creating s. 985.45, F.S.,

relating to liability and remuneration for work; amending and redesignating a provision of s. 985.231, F.S., that relates to liability and remuneration; creating s. 985.455, F.S., relating to other dispositional issues; amending and redesignating provisions of s. 985.231, F.S., that relate to determination of sanctions, rehabilitation programs, and certain contact with the victim subsequent to disposition; redesignating provisions of s. 985.231, F.S., that specify the duration of commitment and suspension of disposition; revising a cross-reference to conform; creating s. 985.46, F.S., relating to conditional release; amending and renumbering s. 985.316, F.S.; revising a cross-reference to conform; creating s. 985.465, F.S., relating to juvenile correctional facilities and juvenile prisons; amending and renumbering s. 985.313, F.S.; creating s. 985.47, F.S., relating to serious and habitual juvenile offenders; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; amending and renumbering s. 985.31, F.S.; revising a reference and cross-references to conform; creating s. 985.475, F.S., relating to juvenile sexual offenders; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; revising a cross-reference to conform; amending and renumbering a provision of s. 985.231, F.S., that relates to such offenders; revising cross-references to conform; creating s. 985.48, F.S., relating to juvenile sexual offender commitment programs and sexual abuse intervention networks; renumbering s. 985.308, F.S.; creating s. 985.483, F.S., relating to intensive residential treatment programs for juvenile offenders less than 13 years of age; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; amending and renumbering s. 985.311, F.S.; revising cross-references to conform; creating s. 985.486, F.S., relating to the prerequisites for commitment of juvenile offenders less than 13 years of age to intensive residential treatment programs; amending and renumbering s. 985.312, F.S.; revising cross-references to conform; creating s. 985.489, F.S., relating to boot camp for children; amending and renumbering s. 985.309, F.S.; revising cross-references to conform; creating s. 985.494, F.S., relating to commitment programs for juvenile felony offenders; amending and renumbering s. 985.314, F.S.; revising cross-references to conform; creating s. 985.511, F.S., relating to the child's right to counsel and the cost of representation; creating s. 985.512, F.S., relating to the powers of the court with respect to certain children; renumbering s. 985.204, F.S.; creating s. 985.513, F.S., relating to the powers of the court over parents or guardians at disposition of the child's case; amending and redesignating provisions of s. 985.231, F.S., that relate to such powers; revising cross-references to conform; creating s. 985.514, F.S., relating to the responsibilities of the parents or guardians of a child for certain fees related to the cost of care; revising a cross-reference to conform; creating s. 985.534, F.S., relating to appeals in juvenile cases; renumbering s. 985.234, F.S.; creating s. 985.535, F.S., relating to time for taking appeal by the state; renumbering s. 985.235, F.S.; creating s. 985.536, F.S., relating to orders or decisions when the state appeals; renumbering s. 985.236, F.S.; creating s. 985.556, F.S., relating to voluntary and involuntary waivers of juvenile court jurisdiction and hearings for such waivers; amending and renumbering s. 985.226, F.S.; revising cross-references to conform; creating s. 985.557, F.S., relating to discretionary and mandatory criteria for the direct filing of an information against a juvenile offender in the criminal division of the circuit court; amending and renumbering s. 985.227, F.S.; revising cross-references to conform; creating s. 985.56, F.S., relating to indictment of juvenile offenders; amending and renumbering s. 985.225, F.S.; revising a reference and cross-references to conform; creating s. 985.565, F.S., relating to powers, procedures, and alternatives available to the court when sentencing juvenile offenders prosecuted as adults; amending, renumbering, and redesignating provisions of s. 985.233, F.S., that relate to such powers, procedures, and alternatives; revising cross-references to conform; creating s. 985.57, F.S., relating to the transfer of children from the Department of Corrections to the Department of Juvenile Justice; renumbering s. 985.417; creating s. 985.601, F.S., relating to administering the juvenile justice continuum; renumbering provisions of s. 985.404, F.S., that relate to such administration; amending and renumbering s. 985.4043, F.S.; creating s. 985.6015, F.S., relating to the Shared County/State Juvenile Detention Trust Fund; creating s. 985.605, F.S., relating to requirements for prevention service programs; amending and renumbering s. 985.3045, F.S.; revising cross-references to conform; creating s. 985.606, F.S., relating to requirements for agencies and entities providing prevention services; amending and renumbering s. 985.3046, F.S.; revising a cross-reference to conform; creating s. 985.61, F.S., relating to criteria for early delinquency intervention programs; renumbering s. 985.305, F.S.; creating s. 985.614, F.S., relating to interagency cooperation for children who are locked out of their homes; amending and renumbering s. 985.2066, F.S.; creating s. 985.618, F.S., relating to educational and career-related programs;

amending and renumbering s. 985.315, F.S.; revising a cross-reference to conform; creating s. 985.622, F.S., relating to a multiagency plan for vocational education; renumbering s. 985.3155, F.S.; creating s. 985.625, F.S., relating to literacy programs for juvenile offenders; amending and renumbering s. 985.317, F.S.; revising a cross-reference to conform; creating s. 985.629, F.S., relating to contracts for the transfer of Florida children in federal custody; renumbering s. 985.419, F.S.; creating s. 985.632, F.S., relating to quality assurance and cost-effectiveness; renumbering s. 985.412, F.S.; creating s. 985.636, F.S., relating to the Office of the Inspector General within the Department of Juvenile Justice; renumbering s. 985.42, F.S.; creating s. 985.64, F.S., relating to the authority of the Department of Juvenile Justice to adopt rules; amending and renumbering s. 985.405, F.S.; creating s. 985.644, F.S., relating to the contracting powers and the personnel standards and screening requirements of the Department of Juvenile Justice; renumbering a provision of s. 985.01, F.S., that relates to such powers; renumbering s. 985.407, F.S.; creating s. 985.648, F.S., relating to consultants; renumbering s. 985.408, F.S.; creating s. 985.652, F.S., relating to participation of certain juvenile programs in the State Risk Management Trust Fund; renumbering s. 985.409, F.S.; creating s. 985.66, F.S., relating to juvenile justice training academies, the Juvenile Justice Standards and Training Commission, and the Juvenile Justice Trust Fund; amending and renumbering s. 985.406, F.S.; revising a cross-reference to conform; creating s. 985.664, F.S., relating to juvenile justice circuit boards and juvenile justice county councils; amending and renumbering s. 985.4135, F.S.; revising a cross-reference to conform; creating s. 985.668, F.S., relating to innovation zones; renumbering s. 985.416, F.S.; creating s. 985.672, F.S., relating to direct-support organizations; renumbering s. 985.4145, F.S.; creating s. 985.676, F.S., relating to community juvenile justice partnership grants; amending and renumbering s. 985.415, F.S.; revising cross-references to conform; creating s. 985.682, F.S., relating to studies and criteria for siting juvenile facilities; amending and renumbering s. 985.41, F.S.; creating s. 985.686, F.S., relating to shared county and state responsibility for juvenile detention; renumbering s. 985.2155, F.S.; creating s. 985.688, F.S., relating to administering county and municipal delinquency programs and facilities; amending and renumbering s. 985.411, F.S.; revising a cross-reference to conform; creating s. 985.69, F.S., relating to one-time startup funding for juvenile justice purposes; renumbering s. 985.4075, F.S.; creating s. 985.692, F.S., relating to the Juvenile Welfare Trust Fund; renumbering s. 985.4041, F.S.; creating s. 985.694, F.S., relating to the Juvenile Care and Maintenance Trust Fund; renumbering s. 985.4042, F.S.; creating s. 985.701, F.S., relating to prohibiting sexual misconduct, reporting requirements, and penalties; renumbering s. 985.4045, F.S.; creating s. 985.711, F.S., relating to penalties for the introduction, removal, or possession of certain articles; renumbering s. 985.4046, F.S.; creating s. 985.721, F.S., relating to escapes from secure detention or residential commitment facilities; amending and renumbering s. 985.3141, F.S.; revising a cross-reference to conform; creating s. 985.731, F.S., relating to sheltering or aiding unmarried minors; renumbering s. 985.2065, F.S.; creating s. 985.801, F.S., relating to legislative findings, policy, and implementation of the Interstate Compact on Juveniles; renumbering s. 985.501, F.S.; creating s. 985.802, F.S., relating to execution of the interstate compact; renumbering s. 985.502, F.S.; creating s. 985.803, F.S., relating to the administrator of the juvenile compact; renumbering s. 985.503, F.S.; creating s. 985.804, F.S., relating to supplementary agreements to the compact; renumbering s. 985.504, F.S.; creating s. 985.805, F.S., relating to financial arrangements related to the compact; renumbering s. 985.505, F.S.; creating s. 985.806, F.S., relating to the responsibilities of state departments, agencies, and officers; renumbering s. 985.506, F.S.; creating s. 985.807, F.S., relating to procedures in addition to those provided under the compact; renumbering s. 985.507, F.S.; creating s. 985.8025, F.S., relating to the State Council for Interstate Juvenile Offender Supervision; renumbering s. 985.5023, F.S.; repealing ss. 985.215(6), 985.231(1)(b), (c), (f), and (i), and (2) and 985.233(4)(d), F.S.; amending ss. 29.004, 29.008, 253.025, 318.21, 397.334, 400.953, 419.001, 435.04, 790.115, 790.22, 921.0022, 938.10, 943.053, 943.0582, 943.0585, 943.059, 948.51, 958.046, 960.001, 984.03, 984.05, 984.09, 984.226, 1003.52, 1006.08, 1006.13, and 1012.797, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1748** was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for CS for SB 656—A bill to be entitled An act relating to financial transactions; creating s. 501.005, F.S.; defining the term “security freeze”; authorizing a consumer to place a security freeze on his or her consumer report; providing procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer report; authorizing a consumer to allow specified temporary access to his or her consumer report during a security freeze; providing procedures with respect to such temporary access; providing for removal of a security freeze when a consumer report is frozen due to a material misrepresentation of fact by the consumer; providing applicability; prohibiting a consumer reporting agency from charging a fee to a victim of identity theft who requests a security freeze on a consumer report; authorizing consumer reporting agencies to charge a fee to place, remove, or temporarily lift a security freeze and to reissue a personal identification number; restricting the change of specified information in a consumer report when a security freeze is in effect; specifying applicability with respect to certain consumer reporting agencies; specifying entities that are exempt from placing a security freeze on a consumer report; providing for a civil remedy; providing requirements with respect to written disclosure by a consumer reporting agency of procedures and consumer rights associated with a security freeze; creating s. 655.851, F.S.; providing that credit balances that result from the performance of or participation in check-clearing functions are not subject to certain reporting requirements; providing an effective date.

—was read the third time by title.

Amendments were considered and adopted to conform **CS for CS for SB 656** to **HB 37**.

Pending further consideration of **CS for CS for SB 656** as amended, on motion by Senator Peaden, by two-thirds vote **HB 37** was withdrawn from the Committees on Commerce and Consumer Services; and Banking and Insurance.

On motion by Senator Peaden, by two-thirds vote—

HB 37—A bill to be entitled An act relating to security of consumer report information; creating s. 501.005, F.S.; defining “security freeze”; authorizing a consumer to place a security freeze on his or her consumer report; providing procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer report; authorizing a consumer to allow specified temporary access to his or her consumer report during a security freeze; providing procedures with respect to such temporary access; providing for removal of a security freeze when a consumer report was frozen due to a material misrepresentation of fact by the consumer; providing applicability; authorizing a consumer reporting agency to charge a fee to place, remove, or temporarily lift a security freeze; prohibiting a consumer reporting agency from charging a fee to specified persons; authorizing the charging of a fee for the reissuance of a personal identification number; restricting the change of specified information in a consumer report when a security freeze is in effect; specifying applicability with respect to certain consumer reporting agencies; specifying entities that are exempt from placing a security freeze on a consumer report; providing for civil remedy; providing requirements with respect to written disclosure by a consumer reporting agency of procedures and consumer rights associated with a security freeze; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 656** as amended and by two-thirds vote read the second time by title. On motion by Senator Peaden, by two-thirds vote **HB 37** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bullard	Fasano
Alexander	Campbell	Garcia
Argenziano	Clary	Geller
Aronberg	Constantine	Haridopolos
Atwater	Crist	Hill
Baker	Diaz de la Portilla	Jones
Bennett	Dockery	King

Klein	Posey	Villalobos
Lawson	Pruitt	Webster
Lynn	Rich	Wilson
Margolis	Saunders	Wise
Miller	Sebesta	
Peaden	Siplin	

Nays—None

Vote after roll call:

Yea—Carlton

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Pruitt, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet 15 minutes after announcement until completion.

MOTION

On motion by Senator Pruitt, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 27.

On motion by Senator Pruitt, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, April 27.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Pruitt, by two-thirds vote **SB 2288** was withdrawn from the Committee on Education; **CS for SB 1546** and **SB 1592** were withdrawn from the Committee on General Government Appropriations; **CS for SB 2424** was withdrawn from the Committee on Governmental Oversight and Productivity; **CS for SB 1006**, **CS for SB 1362**, **CS for SB 1366** and **CS for SB 2214** were withdrawn from the Committee on Health and Human Services Appropriations; **CS for SB 1816**, **CS for CS for SB 2010** and **CS for SB 2616** were withdrawn from the Committee on Judiciary; **CS for CS for SB 472**, **CS for SB 476** and **CS for SB 2322** were withdrawn from the Committee on Justice Appropriations; **CS for SJR 194**, **CS for SB 474**, **CS for SB 854**, **CS for SB 1136**, **CS for SJR 1150**, **CS for CS for SJR 1436**, **CS for SB 1872**, **CS for SJR 1918** and **CS for CS for SB 2656** were withdrawn from the Committee on Rules and Calendar; **CS for CS for SB 256**, **CS for SB 382**, **CS for CS for SB 1132**, **SB 1698** and **CS for CS for SB 2084** were withdrawn from the Committee on Ways and Means; **CS for SB 2406** was withdrawn from the Committee on Education Appropriations; **SJR 626** was withdrawn from the Committees on Commerce and Consumer Services; Judiciary; and Rules and Calendar; **CS for CS for SB's 716 and 2660** was withdrawn from the Committees on Criminal Justice; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar; **CS for SJR 1158** and **SJR 1840** were withdrawn from the Committees on Ways and Means; and Rules and Calendar; **CS for SB 1596** was withdrawn from the Committees on Government Efficiency Appropriations; and General Government Appropriations; **CS for SB 1920** was withdrawn from the Committees on Justice Appropriations; and Ways and Means; and **SJR 2788** was withdrawn from the Committees on Judiciary; and Rules and Calendar.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 26, 2006: **CS for SB 2432**, **CS for CS for CS for SB 638**, **CS for SB 306**, **CS for CS for SB 660**, **CS for CS for SB 212**, **CS for CS for SB 1368**, **SJR 98**, **CS for SB 508**, **CS for CS for CS for SB 1826**, **CS for CS for CS for SB 1394**, **CS for SB 1036**, **CS for SB 410**, **CS for SB 908**, **CS for SB 1038**, **CS for SB 100**, **CS for CS for SB 2580**, **CS for CS for SB 2728**, **CS for SB 1528**, **CS for SB 202**, **CS for SB 1182**, **CS for SB 1548**, **CS for SB 1438**, **CS for SB 600**, **CS for CS for SB 1736**, **SB 704**, **CS for CS for CS for SB 888**, **CS for SB 1078**, **CS for SB 726**, **CS for SB 1232**, **SB 2434**, **CS for SB 730**, **CS**

for SB 1844, CS for SB 1530, CS for CS for SB 232, CS for SB 744, CS for SB 1956, CS for SB 1312, CS for SB 1748

Respectfully submitted,
Ken Pruitt, Chair

The Committee on Community Affairs recommends the following pass: SJR 626

The Committee on Health Care recommends the following pass: SB 468 with 1 amendment, SB 2564 with 2 amendments, SB 2566 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Commerce and Consumer Services under the original reference.

The Committee on Commerce and Consumer Services recommends the following pass: CS for SB 2588

The Committee on Environmental Preservation recommends the following pass: SB 2494

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 2328

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2658

The Committee on Education recommends the following pass: SB 2438 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1376, SB 2554

The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Government Efficiency Appropriations recommends the following pass: CS for SB 144 and SB 944

The Committee on Judiciary recommends the following pass: CS for SB 430

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 900, SB 2078

The Committee on Transportation recommends the following pass: SB 1932

The bills contained in the foregoing reports were referred to the Committee on Government Efficiency Appropriations under the original reference.

The Committee on Agriculture recommends the following pass: SB 2586

The Committee on Community Affairs recommends the following pass: SB 2076, SB 2080, CS for SB 2106

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 1330

The Committee on Health Care recommends the following pass: SB 1358 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Agriculture recommends the following pass: CS for SB 1338 and SB 1794

The Committee on Banking and Insurance recommends the following pass: SB 2052, SB 2428 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1484

The bills contained in the foregoing reports were referred to the Committee on Health Care under the original reference.

The Committee on Commerce and Consumer Services recommends the following pass: CS for SB 206

The Committee on Community Affairs recommends the following pass: CS for SB 2358

The Committee on Criminal Justice recommends the following pass: SB 2138, CS for SB 2230, CS for SB 2744

The Committee on Ethics and Elections recommends the following pass: SJR 2788

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2274 with 1 amendment

The Committee on Criminal Justice recommends the following pass: CS for SB 1920, SB 2622

The Committee on Judiciary recommends the following pass: SB 1126

The bills contained in the foregoing reports were referred to the Committee on Justice Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 682 with 1 amendment, SB 2162

The bills were referred to the Committee on Regulated Industries under the original reference.

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 1136

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1296

The bill was referred to the Committee on Transportation under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1022

The Committee on Environmental Preservation recommends the following pass: CS for SB 890

The Committee on Ethics and Elections recommends the following pass: CS for SB 208 with 2 amendments

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 2096

The Committee on Judiciary recommends the following pass: CS for SB 718 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1936 with 1 amendment

The Committee on General Government Appropriations recommends the following pass: SJR 1840

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 92

The Committee on Health Care recommends the following pass: CS for SB 482

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 962

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 420 with 1 amendment, SB 704, SB 1060, SM 1676, SM 2626

The Committee on Community Affairs recommends the following pass: CS for SB 1172, CS for SB 2026 with 1 amendment, CS for SB 2168 with 2 amendments, CS for SB 2426, CS for SB 2538

The Committee on Criminal Justice recommends the following pass: CS for SB 2526 with 2 amendments

The Committee on Education Appropriations recommends the following pass: SB 84, SB 2254

The Committee on General Government Appropriations recommends the following pass: CS for SB 1590, SB 2126

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 1552

The Committee on Judiciary recommends the following pass: SB 198, CS for SB 286 with 3 amendments, SB 658, SB 1608 with 1 amendment, CS for SB 1940, CS for SB 2036, CS for SB 2522 with 4 amendments, CS for SB 2714

The Committee on Justice Appropriations recommends the following pass: SB 186

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 1888, CS for SB 2098

The Committee on Ways and Means recommends the following pass: CS for SB 642, CS for SB 918, CS for SB 1292, CS for SB 1832

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Judiciary recommends the following not pass: CS for SB 720

The bill was laid on the table.

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 1416

The bill with committee substitute attached was referred to the Committee on Agriculture under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 2356

The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1486

The bill with committee substitute attached was referred to the Committee on Commerce and Consumer Services under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 2526, SB 2744

The Committee on Health Care recommends a committee substitute for the following: SB 2224

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 716 and SB 2660

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 1480

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1384

The Committee on Education recommends a committee substitute for the following: SB 2406

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 2478

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Appropriations under the original reference.

The Committee on Criminal Justice recommends committee substitutes for the following: CS for SB 990, CS for SB 2202

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 2510

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 120, SB 1512

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1596

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2218

The Committee on Transportation recommends a committee substitute for the following: SB 2672

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Government Efficiency Appropriations under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1976

The Committee on Criminal Justice recommends committee substitutes for the following: SB 2246, SB 2292

The Committee on Education recommends committee substitutes for the following: CS for SB 2470, SB 2556, SB 2592

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 2360

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 482

The bill with committee substitute attached was referred to the Committee on Health Care under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2522

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1458, SB 1522, SB 2468

The Committee on Education recommends a committee substitute for the following: SB 28

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 956

The Committee on Transportation recommends a committee substitute for the following: SB 2296

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 2726

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for SB 178

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Justice Appropriations under the original reference.

The Committee on Education Appropriations recommends a committee substitute for the following: SJR 1150

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 734, CS for SB 1320, SB 2612

The Committee on Judiciary recommends a committee substitute for the following: SJR 1918

The Committee on Ways and Means recommends committee substitutes for the following: SB 854, CS for SJR 1436

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Government Efficiency Appropriations recommends committee substitutes for the following: CS for SB 350, CS for SB 2110, CS for SB 2312

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 1766

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Education Appropriations recommends committee substitutes for the following: SB 504, CS for SB 2084

The Committee on Environmental Preservation recommends a committee substitute for the following: CS for SB 2062

The Committee on Government Efficiency Appropriations recommends committee substitutes for the following: SJR 1158, CS for SB 1858

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2182

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 2384

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 744, SB 1434, SB 1956, SB 2178

The Committee on Communications and Public Utilities recommends a committee substitute for the following: CS for SB 980

The Committee on Community Affairs recommends a committee substitute for the following: SB 1190

The Committee on Education recommends committee substitutes for the following: SB 518, CS for CS for SB 1030

The Committee on Education Appropriations recommends committee substitutes for the following: SB 502, SB 1014, CS for SB 1016, SB 1174, CS for SB 1750, CS for SB 2048, SB 2688

The Committee on Environmental Preservation recommends a committee substitute for the following: CS for CS for SB 1880

The Committee on Ethics and Elections recommends a committee substitute for the following: CS for SB 2252

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for SB 278, CS for SB 994

The Committee on Government Efficiency Appropriations recommends committee substitutes for the following: CS for SB 1196, CS for CS for SB 1388

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 1194, SB 2642

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: SB 252, CS for SB 1008, CS for SB 1324, CS for CS for SB 1798, CS for SB 1924, CS for CS for SB 2112

The Committee on Judiciary recommends committee substitutes for the following: CS for CS for SB 2114, CS for SB 2590

The Committee on Justice Appropriations recommends committee substitutes for the following: CS for CS for CS for SB 114 and SB 444, CS for CS for SB 166, CS for CS for SB 190, CS for SB 192, CS for SB 436, CS for SB 1622

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 208, CS for CS for SB 2186, CS for CS for SB 2668

The Committee on Ways and Means recommends committee substitutes for the following: CS for SB 528, SB 530 and SB 858, SB 784, CS for CS for CS for SB 1058, CS for SB 1612, CS for CS for SB 2176

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 2836—Not referenced.

By Senator Fasano—

SB 2838—A bill to be entitled An act relating to Hernando County special election validation; validating all acts and proceedings had and taken in connection with the special election held in the county on March 9, 2004, to authorize the levy of the one-half-cent local option sales tax in the county for the purpose of providing funds to finance the cost of new facilities consisting of new schools, equipment, and such improvements associated with such schools within the county; declaring such special election legal and valid; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Rich—

SB 2840—A bill to be entitled An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida; amending the amount for which advertisement for bids is required for the procurement by the district of contractual services and purchase of goods, supplies, and materials to comply with state statutory requirements; providing for recording of the act; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Rich—

SB 2842—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the Town of Davie; providing for annexation of the unincorporated area known as Broadview Park; providing for an election; providing boundaries; providing for an effective date of annexation; providing for an interlocal agreement; providing for a continuation of certain Broward County regulations; providing for the transfer of public roads and rights-of-way; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

Senate Resolutions 2844-2846—Not referenced.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Education; and Senator Fasano—

CS for SB 28—A bill to be entitled An act relating to public K-12 educational instruction; amending s. 1003.42, F.S.; revising provisions relating to required instruction and courses of study in the public schools; including study of the history of the United States and free enterprise; requiring standards adopted by the State Board of Education to conform to requirements for instruction; providing requirements for teaching the history of the United States at certain grade levels; amending s. 1003.43, F.S., relating to general requirements for high school graduation; including study of the Declaration of Independence in the credit requirement for American government; amending s. 1002.20, F.S.; correcting a cross-reference; providing an effective date.

By the Committees on Justice Appropriations; Criminal Justice; Judiciary; Children and Families; and Senators Lynn, Campbell, Miller, Smith and Crist—

CS for CS for CS for CS for SB's 114 and 444—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 39.407, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment or evaluation upon a showing of good cause in connection with a shelter petition or petition for dependency; amending ss. 39.507 and 39.521, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment as part of an adjudicatory order or pursuant to a disposition hearing; requiring a showing of good cause; authorizing the court to require participation in a treatment-based drug court program; authorizing the court to impose sanctions for noncompliance; amending s. 397.334, F.S.; revising legislative intent with respect to treatment-based drug court programs to reflect participation by community support agencies, the Department of Education, and other individuals; including postadjudicatory programs as part of treatment-based drug court programs; providing requirements and sanctions, including treatment by specified licensed service providers, jail-based treatment, secure detention, or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing the chief judge of each judicial circuit to appoint an advisory committee for the treatment-based drug court program; providing for membership of the committee; revising language with respect to an annual report; amending s. 910.035, F.S.; revising language with respect to conditions for the transfer of a case in the drug court treatment program to a county other than that in which the charge arose; amending ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing for application of the coordinated strategy developed by the drug court team; providing for expungement of certain records and pleas; removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Wise—

CS for SB 120—A bill to be entitled An act relating to electronic information and information technology; creating part III of ch. 282, F.S.; requiring that the executive, legislative, and judicial branches of state government provide to individuals with disabilities access to and use of information and data that is comparable to the information and data provided to individuals who do not have disabilities; providing certain exceptions; providing definitions; requiring that each state agency use accessible electronic information and information technology that conforms with specified provisions of federal law; providing certain exceptions; requiring the Department of Management Services to adopt rules; providing an exception for electronic information and information

technology involving military activities or criminal intelligence activities; specifying that the act applies to competitive solicitations; providing legislative intent; providing an effective date.

By the Committees on Justice Appropriations; Banking and Insurance; Judiciary; and Senators Campbell and Crist—

CS for CS for CS for SB 166—A bill to be entitled An act relating to foreclosure proceedings; amending s. 45.031, F.S.; revising procedures and requirements for judicial sales; creating s. 45.032, F.S.; providing for disbursement of surplus funds after a judicial sale; providing definitions; establishing a rebuttable presumption of entitlement to surplus funds in certain filings; providing legislative intent; providing requirements and procedures for disbursement of surplus funds by the clerk of court; providing for appointment of a surplus trustee under certain circumstances; providing for notice of appointment; providing for termination of appointment; providing for treatment of surplus funds as unclaimed property under certain circumstances; providing construction relating to title of property in a foreclosure sale; creating s. 45.033, F.S.; providing for a sale or assignment of rights to surplus funds in a property subject to foreclosure; establishing a rebuttable presumption of entitlement to surplus funds; providing requirements for proof; providing legislative intent; providing requirements for rebutting the presumption; providing requirements for transfers or assignments of surplus funds; providing duties and authority of a court in payment of surplus funds under a transfer or assignment; providing for nonapplication to certain instruments; specifying absence of effect on title or marketability of certain property or validity of certain liens; creating s. 45.034, F.S.; providing qualifications for appointment as a surplus trustee by the Department of Financial Services; providing requirements for appointment as a surplus trustee; providing for application and renewal fees; providing duties of the department in certifying surplus trustees; requiring the department to establish a rotation system for assignment of cases to surplus trustees; providing duties of a surplus trustee; providing entitlement of a surplus trustee to certain service charges and fees; creating s. 45.035, F.S.; specifying service charges for clerks of court for administering judicial sales and surplus funds; creating s. 501.2078, F.S.; providing definitions; providing a civil penalty for knowingly using unfair or deceptive homeowner victimization methods, acts, or practices in residential foreclosure proceedings; specifying higher priority of an order of restitution or reimbursement over imposition of a civil penalty; providing for deposit of civil penalties into the Legal Affairs Revolving Trust Fund of the Department of Legal Affairs; allocating such funds for certain purposes; specifying nonapplication to certain encumbrances, deeds, or actions; amending s. 702.035, F.S.; specifying different requirements relating to newspaper legal notices and process requirements for counties of different population sizes; limiting certain costs chargeable in a foreclosure proceeding; amending s. 201.02, F.S.; correcting a cross-reference; providing an effective date.

By the Committees on Health and Human Services Appropriations; Criminal Justice; and Senator Saunders—

CS for CS for SB 178—A bill to be entitled An act relating to controlled substances; creating s. 831.311, F.S.; prohibiting the sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances; providing penalties; amending s. 893.04, F.S.; providing additional requirements for the dispensing of a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing rulemaking authority to the Board of Pharmacy; creating s. 893.055, F.S.; providing a definition; requiring the Department of Health to establish an electronic system to monitor the prescribing of controlled substances listed in Schedules II, III, and IV; requiring the dispensing of such controlled substances to be reported through the system; providing exceptions; providing reporting requirements; providing penalties; requiring that the department and regulatory boards adopt rules; requiring the department to cover all costs for the system; providing for annual appropriations, subject to availability of funds; prohibiting using funds from the Medical Quality Assurance Trust Fund to administer the program; creating s. 893.065, F.S.; requiring the department to develop and adopt by rule the form and content for a counterfeit-proof prescription blank for voluntary use by physicians to prescribe a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing an appropriation and authorizing additional po-

sitions; providing for the contingent applicability of penalties; providing contingent effective dates.

By the Committees on Justice Appropriations; Commerce and Consumer Services; Criminal Justice; and Senators Wise and Lynn—

CS for CS for CS for SB 190—A bill to be entitled An act relating to seaport security; creating s. 311.111, F.S.; requiring each seaport authority or governing board of a seaport that is subject to the statewide minimum seaport security standards to designate and identify security area designations, access requirements, and security enforcement authorizations on seaport premises and in seaport security plans; providing that any part of a port's property may be designated as a restricted access area under certain conditions; amending s. 311.12, F.S.; revising purpose of security plans maintained by seaports; requiring periodic plan revisions; requiring plans to be inspected for compliance by the Office of Drug Control and the Department of Law Enforcement based upon specified standards; providing requirements with respect to protection standards in specified restricted areas; requiring delivery of the plan to specified entities; requiring the Department of Law Enforcement to inspect every seaport within the state to determine if all security measures adopted by the seaport are in compliance with seaport security standards; requiring a report; authorizing seaports to request review by the Domestic Security Oversight Council of the findings in a Department of Law Enforcement inspection report; limiting the findings which the council is authorized to review; requiring the Department of Law Enforcement to establish a waiver process to grant certain individuals unescorted access to seaports or restricted access areas under certain circumstances; providing waiver process requirements; requiring the administrative staff of the Parole Commission to review the waiver application and transmit the findings to the department; requiring the department to make a final disposition of the application and notify the applicant and the seaport; providing that the waiver review process is exempt from the Administrative Procedure Act; providing procedures and requirements with respect to waiver of any physical facility requirement or other requirement contained in the statewide minimum standards for seaport security; providing a penalty for possession of a concealed weapon while on seaport property in a designated restricted area; creating the Seaport Standards Security Advisory Council under the Office of Drug Control within the Executive Office of the Governor; providing membership, terms, organization, and meetings of the council; requiring the Office of Drug Control to convene the Seaport Security Standards Advisory Council to review the statewide minimum standards for seaport security; requiring periodic review of the statewide minimum standards for seaport security to be conducted by the council; creating s. 311.121, F.S.; providing legislative intent with respect to the employment by seaports of certified law enforcement officers and certified private security officers; providing authority of seaports and requirements of the Department of Law Enforcement with respect to such intent; requiring the authority or governing board of each seaport that is subject to statewide minimum seaport security standards to impose specified requirements for certification as a seaport security officer; creating the Seaport Security Officer Qualification, Training, and Standards Coordinating Council under the Department of Law Enforcement; providing membership and organization of the council; providing terms of members; providing duties and authority of the council; requiring the Department of Education to develop curriculum recommendations and specifications of the council into initial and continuing education and training programs for seaport security officer certification; providing requirements and procedures with respect to such training programs; providing requirements and procedures with respect to certification as a seaport security officer; providing requirements for renewal of inactive or revoked certification; creating s. 311.122, F.S.; authorizing each seaport in the state to create a seaport law enforcement agency for its facility; providing requirements of an agency; requiring certification of an agency; providing requirements with respect to the composition of agency personnel; providing powers of seaport law enforcement agency officers and seaport security officers; creating s. 311.123, F.S.; providing for the creation of a maritime domain security awareness training program; providing purpose of the program; providing program training curriculum requirements; creating s. 311.124, F.S.; providing authority of seaport security officers to detain persons suspected of trespassing in a designated restricted area of a seaport; providing immunity from specified criminal or civil liability; creating s. 817.021, F.S.; providing a criminal penalty for willfully and knowingly providing false information in

obtaining or attempting to obtain a seaport security identification card; providing an effective date.

By the Committees on Justice Appropriations; Governmental Oversight and Productivity; and Senator Wise—

CS for CS for SB 192—A bill to be entitled An act relating to prison industries; creating the Prison Industries Task Force within the Office of Legislative Services; requiring the task force to determine how well the prison industries program has fulfilled its statutory mission and purpose; providing for the appointment of members to the task force; requiring the task force to hold a minimum number of public meetings; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Legislative Committee on Intergovernmental Relations to provide staff support for the task force; specifying the duties of the task force with respect to taking testimony; requiring the task force to submit a report to the Governor and the Legislature; abolishing the task force on a future date; amending s. 946.505, F.S.; clarifying the state's reversionary interest in the facilities, property, and assets of the corporation operating a correctional work program; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Environmental Preservation; and Senators Baker and Saunders—

CS for CS for SB 208—A bill to be entitled An act relating to voter registration; creating s. 97.05831, F.S.; requiring the supervisor of elections of each county to send voter registration applications to the Fish and Wildlife Conservation Commission and its subagents; amending s. 372.561, F.S.; requiring voter registration applications to be displayed at each location where hunting, fishing, or trapping licenses or permits are sold; requiring that applicants for hunting, fishing, or trapping licenses or permits be asked if they would like a voter registration application; requiring that certain information be provided when a person applies for a hunting, fishing, or trapping license or permit via the Internet; providing effective dates.

By the Committee on Health and Human Services Appropriations; and Senators Rich, Lynn and Alexander—

CS for SB 252—A bill to be entitled An act relating to emergency medical services; creating the "Gordon and Muilli Act"; amending s. 401.107, F.S.; defining the terms "youth athletic organization" and "automated external defibrillator device"; amending s. 401.111, F.S.; providing for grants to local agencies, emergency medical services organizations, and youth athletic organizations to expand the use of automated external defibrillator devices; amending s. 401.113, F.S.; providing for disbursement of funds from the Emergency Medical Services Trust Fund; amending s. 768.1325, F.S.; providing additional circumstances under which immunity for the use of an automated external defibrillator does not apply; requiring the Department of Health to administer an educational campaign regarding the lack of immunity in the use of such a device under certain circumstances; providing an effective date.

By the Committees on General Government Appropriations; Regulated Industries; and Senators Wise, Haridopolos and King—

CS for CS for SB 278—A bill to be entitled An act relating to contracting for efficiency or conservation measures by state agencies; amending s. 489.145, F.S.; including water and wastewater efficiency and conservation in the measures encouraged by the Legislature; revising definitions; providing for inclusion of water and wastewater efficiency and conservation measures in guaranteed performance savings contracts entered into by a state agency, municipality, or political subdivision; providing additional requirements for contracts; amending s. 287.064, F.S., relating to consolidated financing of deferred-payment purchases, to conform; providing an effective date.

By the Committees on Government Efficiency Appropriations; Community Affairs; and Senator Constantine—

CS for CS for SB 350—A bill to be entitled An act relating to economic development incentives; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; providing limitations; requiring the Department of Revenue to prescribe certain forms; creating s. 288.1171, F.S.; providing for certification of units of local government owning eligible convention centers by the Office of Tourism, Trade, and Economic Development; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for revocation of certification; providing an effective date.

By the Committees on Justice Appropriations; Governmental Oversight and Productivity; and Senators Wilson, Hill, Miller and Crist—

CS for CS for SB 436—A bill to be entitled An act relating to the social status of black men and boys; creating the Council on the Social Status of Black Men and Boys; providing for the appointment and qualification of members; providing for the appointment of members to fill vacant positions; providing for the removal and replacement of members; providing for terms of office; requiring the council to make a systematic study of conditions affecting black men and boys; requiring the Office of the Attorney General to provide administrative support; requiring the council to submit an annual report to the Governor and Legislature; providing for reimbursement for per diem and travel expenses; requiring the Attorney General to organize the initial meeting of the council; providing for the expiration of the council; providing an effective date.

By the Committee on Banking and Insurance; and Senators Bullard and Siplin—

CS for SB 482—A bill to be entitled An act relating to congenital craniofacial anomalies; requiring that the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation, conduct a study concerning the medical necessity, costs, and efficacy of mandating coverage for certain treatments and therapies; providing an appropriation; requiring that the agency report its findings and recommendations to the Legislature; providing an effective date.

By the Committee on Education Appropriations; and Senators Wilson and Crist—

CS for SB 502—A bill to be entitled An act relating to discounted computers and Internet access for students; creating a program to offer discounted computers and Internet access to public school students in grades 5 through 12; authorizing the Department of Education to negotiate terms with computer manufacturers or nonprofit corporations; requiring the department to negotiate terms with broadband Internet access providers; requiring the State Board of Education to adopt rules, including rules for provision of technical training to students; requiring the Digital Divide Council to implement a pilot project to assist low-income students with purchasing discounted computers and Internet access services; requiring the council to identify eligibility criteria for participation in the pilot project; providing for funding and authorizing the council to accept grants to implement the pilot project; providing an effective date.

By the Committee on Education Appropriations; and Senators Wise and Wilson—

CS for SB 504—A bill to be entitled An act relating to financial assistance for postsecondary students; creating s. 1009.892, F.S.; creating the Florida Reimbursement Grant Program to Provide Postsecondary Psycho-Educational Testing to Students with Disabilities; providing for rulemaking by the State Board of Education; providing that the

Department of Education shall administer the program; providing legislative intent; providing eligibility requirements; prescribing a limit on testing costs; providing that the cost of psycho-educational testing is part of the student's attendance cost; requiring a student who applies for such a grant to apply for a Pell Grant; providing that Pell Grant entitlement must be considered in determining a student's monetary need for a grant under this section; requiring participating institutions to report specified information to the department; requiring that the amount of such grants be specified in the General Appropriations Act; providing procedures; requiring participating institutions to return undisbursed grant moneys to the department; providing that the act be implemented only to the extent that it is funded and authorized; providing an effective date.

By the Committee on Education; and Senator Constantine—

CS for SB 518—A bill to be entitled An act relating to education; transferring and amending s. 1013.721, F.S.; renaming the Florida Business and Education in School Together Program as “A Business-Community (ABC) School Program”; defining the term “A Business-Community School”; requiring each school board to submit certain documentation to the Department of Education; requiring each school board to designate a school program liaison; requiring each school district to establish an evaluation committee; requiring each school board to provide to the department information about each member of the committee; requiring the committee to submit an annual report to the school board and the superintendent; providing for the committee's responsibilities; providing for admissions of students to the school program; authorizing a school district and a business to enter into a contract for operation of the school program; amending s. 1013.502, F.S.; providing for facilities for the school program; providing an effective date.

By the Committees on Ways and Means; Community Affairs; Domestic Security; and Senators Geller, Atwater, Diaz de la Portilla, Campbell, Bullard, Klein and Wilson—

CS for CS for SB's 528, 530 and 858—A bill to be entitled An act relating to disaster preparedness response and recovery; directing the Division of Emergency Management to conduct a feasibility study relating to the supply and distribution of essential commodities by nongovernment and private entities; creating s. 526.143, F.S.; providing that each motor fuel terminal facility and wholesaler that sells motor fuel in the state must be capable of operating its distribution loading racks using an alternate power source for a specified period by a certain date; providing requirements with respect to the operation of such equipment following a major disaster; providing requirements with respect to inspection of such equipment; requiring newly constructed or substantially renovated motor fuel retail outlets to be capable of operation using an alternate power source; defining “substantially renovated”; requiring certain motor fuel retail outlets located within a specified distance from an interstate highway or state or federally designated evacuation route to be capable of operation using an alternate power source by a specified date; providing inspection and recordkeeping requirements; providing applicability; creating s. 526.144, F.S.; creating the Florida Disaster Motor Fuel Supplier Program within the Department of Community Affairs; providing requirements for participation in the program; providing that participation in the program shall be at the option of each county; providing for administration of the program; providing requirements of businesses certified as State Emergency Response Team members; providing for preemption to the state of the regulation of and requirements for siting and placement of an alternate power source and any related equipment at motor fuel terminal facilities, wholesalers, and retail sales outlets; providing for review of the program; providing a report; amending s. 501.160, F.S., providing limiting price gouge prohibition periods; providing prohibition period renewal; amending s. 553.509, F.S., relating to requirements with respect to vertical accessibility under pt. II of ch. 553, F.S., the “Florida Americans With Disabilities Accessibility Implementation Act”; requiring specified existing and newly constructed residential multifamily dwellings to have at least one public elevator that is capable of operating on an alternate power source for emergency purposes; providing requirements with respect to the alternate power source; providing for verification of compliance by specified dates; providing requirements with respect to emergency operations plans and inspection records; requiring any person, firm, or corporation

that owns, manages or operates specified multistory affordable residential dwellings to attempt to obtain grant funding to comply with the act; requiring an owner, manager or operator of such a dwelling to develop an evacuation plan in the absence of compliance with the act; providing additional inspection requirements under ch. 399, F.S., the “Elevator Safety Act”; amending s. 252.35, F.S.; expanding the duty of the Division of Emergency Management to conduct a public educational campaign on emergency preparedness issues; expanding the duty of the Division of Emergency Management to create and maintain lists of emergency generators; providing an additional duty of the division with respect to educational outreach concerning disaster preparedness; providing an appropriation to the Department of Community Affairs to conduct a feasibility study; providing severability; providing an effective date.

By the Committees on Judiciary; Ethics and Elections; and Senators Posey, Rich, Wilson, Margolis and Aronberg—

CS for CS for SB's 716 and 2660—A bill to be entitled An act relating to campaign finance; amending s. 106.011, F.S.; redefining the terms “political committee,” “contribution,” “expenditure,” “communications media,” and “electioneering communication”; defining the term “electioneering communications organization”; amending s. 106.022, F.S.; conforming a reference to an electioneering communications organization; amending s. 106.03, F.S.; revising the registration requirements for political committees and electioneering communications organizations; creating s. 106.0701; establishing campaign finance reporting requirements for certain officers and candidates soliciting contributions for certain committees and organizations; providing penalties; creating s. 106.0703, F.S.; establishing campaign finance reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; incorporating the new campaign finance reporting requirements for electioneering communications organizations into the Department of State's electronic campaign finance reporting system; amending s. 106.08, F.S.; prohibiting the use of certain contributions received by an electioneering communications organization proximate to an election; limiting contributions to certain committees of continuous existence, electioneering communications organizations, and tax-exempt organizations pursuant to 26 U.S.C. s. 527 and 501(c)(4); reenacting ss. 106.07, 106.08(8), and 106.19, F.S., relating to reports, certification and filing, and penalty provisions, to incorporate the amendments made by this act to ss. 106.03 and 106.08, F.S., in references thereto; providing effective dates.

By the Committees on Governmental Oversight and Productivity; and Commerce and Consumer Services—

CS for SB 734—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 288.075, F.S., relating to an exemption from public-records requirements provided for information held by the Office of Tourism, Trade, and Economic Development, an industrial development authority, the Florida Space Authority, the Florida Aerospace Finance Corporation, a public economic development agency of a county or municipality, a research and development authority, or a private agency or other business entity authorized by the state, a municipality, or a county to promote certain business interests; restating applicability of provisions relating to trade secrets; deleting a provision authorizing a court to allow access to such information under certain circumstances; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

By the Committee on Banking and Insurance; and Senator Wise—

CS for SB 744—A bill to be entitled An act relating to electrical and alarm system contracting; amending s. 489.503, F.S.; exempting persons who install or repair lightning rods from electrical and alarm system contractor licensing provisions; amending s. 489.505, F.S.; revising definitions; amending s. 489.513, F.S.; providing eligibility requirements for registering with the Department of Business and Professional Regulation as an electrical contractor or alarm system contractor; amending s. 489.529, F.S.; requiring a central monitoring station to employ call-verification methods under certain circumstances; amending s. 489.530, F.S.; exempting a fire alarm system from the requirement that it have

a device that automatically terminates its audible signal after a certain period; providing an effective date.

By the Committees on Ways and Means; Transportation and Economic Development Appropriations; and Senators Lynn and Crist—

CS for SB 784—A bill to be entitled An act relating to the community contribution tax credit program; amending s. 212.08, F.S.; increasing the maximum tax credits for the community contribution tax credit program; providing separate annual limitations for tax credits against the sales and use tax for donations made to eligible sponsors for projects that provides homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; amending s. 220.183, F.S.; providing separate annual limitations for tax credits against the corporate income tax for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; amending s. 624.5105, F.S.; providing separate annual limitations for tax credits against the insurance premium tax for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; providing an effective date.

By the Committee on Ways and Means; and Senator Carlton—

CS for SB 854—A bill to be entitled An act relating to taxation studies; requiring the Department of Revenue to commission a study of the state's property tax structure; providing purposes; providing the contents of the study; requiring that the study recommend changes to achieve specified principles of taxation; providing deadlines; requiring the department to submit interim and final reports to legislative leaders by specified dates; providing departmental duties; providing an appropriation; repealing s. 12, ch. 2005-187, Laws of Florida, relating to the Communications Service Tax Task Force; reverting to the General Revenue Fund the unexpended balance of funds appropriated to the task force; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Argenziano—

CS for SB 956—A bill to be entitled An act relating to the Career Service System; amending s. 110.227, F.S.; revising requirements for disciplining an employee; providing for appeals of agency actions imposing penalties on certified law enforcement officers, correctional officers, and correctional probation officers to be reviewed by administrative law judges; revising review procedures; providing standards for awards of back pay; amending s. 447.207, F.S., relating to powers and duties of the Public Employees Relations Commission, to conform; providing an effective date.

By the Committees on Communications and Public Utilities; Community Affairs; and Senator Alexander—

CS for CS for SB 980—A bill to be entitled An act relating to electric transmission and distribution; creating s. 163.3208, F.S.; providing legislative intent; defining the term “distribution electric substation”; providing criteria for adoption and enforcement by a local government of land development regulations for new electric substations; providing that new substations are a permitted use in all land use categories and

zoning districts within a utility's service territory; providing for exceptions; providing standards which apply if a local government does not adopt reasonable standards for substation siting; providing for approval of an application for development of a proposed distribution electric substation when the application demonstrates that the design is consistent with the local government's applicable standards; providing alternative procedures for site approval; providing for application of certain local siting standards to applications received after public notice of the adoption hearing on those standards; providing a timeframe and procedures for a local government to approve or deny an application for an electric substation; providing that the application is deemed approved if not acted on within the timeframe; providing for waiver of timeframes; authorizing the local government to establish timeframes for certain required information to be furnished; creating s. 163.3209, F.S.; prohibiting local governments from requiring any permits or approvals for certain vegetation maintenance in an established electric transmission or distribution line right-of-way; defining the term “vegetation maintenance and tree pruning or trimming”; providing for a utility to give notice to the local government before conducting such vegetation-maintenance activities; providing for exceptions; requiring the utility to provide its vegetation-maintenance plan to the local government and discuss it with the local government; specifying standards for vegetation maintenance and tree pruning or trimming conducted by utilities; providing for supervision of vegetation maintenance and tree pruning or trimming activities; limiting the height and clearance distance of vegetation that may be required by a local government in an established right-of-way of certain lines; providing for application and construction with respect to local franchise authority and ordinances or regulations governing planting, pruning, trimming, or removal of certain trees; providing for application when a local government adopts a described plan for vegetation maintenance, tree pruning, tree removal, and tree trimming within established rights-of-way; providing that vegetation maintenance costs be considered recoverable; creating s. 186.0201, F.S.; requiring electric utilities to notify the regional planning council of plans to site electric substations; providing for content of the notification; requiring that the information be included in the regional planning council's annual report and supplied to local governments under certain conditions; amending s. 186.513, F.S.; correcting a reference to a specified agency; providing for application to the Florida Electrical Power Plant Siting Act; providing an effective date.

By the Committees on Criminal Justice; Agriculture; and Senator Posey—

CS for CS for SB 990—A bill to be entitled An act relating to regulated reptiles; amending s. 372.86, F.S.; requiring the Fish and Wildlife Conservation Commission to establish a list of reptiles subject to regulation; authorizing the commission to adopt rules; amending s. 372.87, F.S.; requiring licensure for the keeping, possessing, or exhibiting of regulated reptiles; amending s. 372.88, F.S.; increasing the required bond amount for the exhibition of regulated reptiles; requiring such bonds to be payable to the commission; amending s. 372.89, F.S.; requiring safe, secure, and proper housing of regulated reptiles; amending s. 372.90, F.S.; providing for the transportation of regulated reptiles; amending s. 372.901, F.S.; providing for the inspection of regulated reptiles; requiring the commission to establish a reporting system for certain activities related to regulated reptiles; amending s. 372.91, F.S.; authorizing certain persons to open regulated reptile cages; renumbering s. 372.911, F.S., relating to rewards, to conform; renumbering and amending s. 372.912, F.S., relating to organized regulated reptile hunts; amending s. 372.92, F.S.; providing criminal penalties for certain activities related to regulated reptiles; providing an effective date.

By the Committees on General Government Appropriations; Agriculture; and Senator Alexander—

CS for CS for SB 994—A bill to be entitled An act relating to citrus; amending s. 193.461, F.S.; providing that certain lands are classified as agricultural lands for the duration of certain successor programs; amending s. 581.184, F.S.; requiring the Department of Agriculture and Consumer Services to implement a citrus health plan for certain purposes; eliminating the authority of the department to remove and destroy certain citrus trees; deleting definitions and provisions relating to immediate final orders, notice to property owners, rulemaking authority, and the posting of certain orders, to conform; requiring certain law

enforcement officers to maintain order under certain circumstances involving the citrus canker disease management process; creating s. 581.1843, F.S.; making it unlawful to propagate certain citrus nursery stock on or after January 1, 2007, at sites and under certain conditions not approved by the department; providing exceptions; providing rule-making authority; specifying regulation of certain varieties of citrus plants; providing exceptions; requiring the department to establish certain regulated areas around commercial citrus nurseries; providing exceptions; providing for notice to property owners by immediate final order prior to removal of certain citrus trees; providing an appeal process for an immediate final order; providing for preemption to the state to regulate the removal and destruction of certain citrus plants; requiring the department to relocate certain trees to certain locations; amending s. 581.1845, F.S., relating to compensation to homeowners whose trees have been removed; clarifying that such compensation is subject to appropriation; requiring that certain compensation claims be filed by December 31, 2007; providing for the expiration of compensation claims not filed prior to January 1, 2008; amending ss. 120.80, 348.0008, 933.02, and 933.40, F.S.; deleting provisions and cross-references, to conform; providing appropriations; amending s. 601.15, F.S.; clarifying provisions relating to the excise tax on citrus; establishing maximum rates and providing procedures by which the Florida Citrus Commission may set rates lower than the maximums; providing an effective date.

By the Committees on Health and Human Services Appropriations; Governmental Oversight and Productivity; and Senators Lynn, King, Dockery, Campbell, Rich, Margolis, Bennett and Wilson—

CS for CS for SB 1008—A bill to be entitled An act relating to suicide prevention; creating s. 14.2019, F.S.; creating the Statewide Office for Suicide Prevention as a unit of the Office of Drug Control in the Executive Office of the Governor; providing the goals and objectives of the office; creating the position of statewide coordinator for the statewide office, contingent upon a specific appropriation; specifying the education and experience requirements for the position of coordinator; detailing the duties and responsibilities of the coordinator; authorizing the Statewide Office for Suicide Prevention to seek and accept grants or funds from any source to support its operation; creating s. 14.20195, F.S.; creating the Suicide Prevention Coordinating Council within the Statewide Office for Suicide Prevention; providing the scope of activities for the coordinating council; creating an interagency workgroup for state agencies within the coordinating council in order to coordinate state agency plans for suicide prevention; authorizing the coordinating council to assemble an ad hoc committee to advise the coordinating council; providing for membership on the coordinating council; authorizing the council to accept grants and other funding; providing an appropriation and authorizing an additional position; providing an effective date.

By the Committee on Education Appropriations; and Senator Wise—

CS for SB 1014—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 1002.36, F.S.; authorizing the provision of education services to district school boards upon request; revising powers and duties of the Board of Trustees for the Florida School for the Deaf and the Blind relating to requirements for expenditure of certain funds; authorizing campus police officers to enforce traffic laws; deleting provisions authorizing bonding of campus police officers; amending s. 1013.31, F.S.; including reference to the Florida School for the Deaf and the Blind in provisions relating to educational plant surveys; providing an effective date.

By the Committees on Education Appropriations; Education; and Senator Wise—

CS for CS for SB 1016—A bill to be entitled An act relating to student financial assistance; creating s. 1009.893, F.S.; providing legislative intent; creating the Florida Independent Collegiate Assistance Grant Program to provide grants to certain students who attend non-public institutions of higher education and are enrolled in programs leading to specified occupations; requiring the Department of Education to administer the program; providing eligibility requirements; providing requirements for the criteria and priorities for funding; defining the

term “eligible nonpublic institution of higher education”; requiring that each institution certify to the department the amount disbursed under the program and remit to the department undisbursed funds; limiting the period that a student is eligible to receive a grant; requiring the adoption of rules; requiring the Office of Program Policy Analysis and Government Accountability to make certain assessments and submit a report to the Legislature; providing an effective date.

By the Committees on Education; Education Appropriations; Judiciary; and Senator Wise—

CS for CS for CS for SB 1030—A bill to be entitled An act relating to charter schools; creating s. 1002.335, F.S.; providing findings and intent; providing chartering authority; prescribing procedures under which a district school board may become the exclusive authority to authorize charter schools within a school district; providing for challenges to grants of exclusive authority; prescribing conditions to be considered by the state board in determining whether to grant exclusive authority; establishing the Florida Schools of Excellence Commission as a charter school authorizing entity; providing for startup funds; providing for membership of the commission; providing powers and duties of the commission, including serving as a sponsor of charter schools, approving certain entities to act as cosponsors, approving or denying applications for Florida Schools of Excellence (FSE) charter schools, and developing standards for and evaluating the performance of charter schools; requiring collaboration with municipalities, state universities, community colleges, and regional educational consortia as cosponsors for FSE charter schools; providing requirements for approval of cosponsors by the commission; providing components of required cosponsor agreements; providing causes for revocation of approval of a cosponsor; providing for FSE charter school application and review procedures; authorizing existing charter schools to apply as FSE charter schools; providing for application of specified provisions of law; requiring access to information by parents; requiring the commission to submit an annual report; requiring rulemaking; amending s. 1002.33, F.S.; providing that the sponsor of a charter school is not liable for civil damages for certain actions; providing that the duty to monitor a charter school shall not be the basis for a private cause of action; prescribing limits on immunities of a charter school sponsor; providing that nothing related to a sponsor's duties shall be considered a waiver of sovereign immunity by a sponsor; providing requirements with respect to the right to appeal a charter school application denial; expanding a school district's immunity from assumption of contractual debts; requiring that a charter school meet class size requirements; revising provisions relating to reporting of charter school student enrollment for purposes of funding; revising requirements relating to charter school facilities created to mitigate a certain educational impact; providing an effective date.

By the Committees on Ways and Means; Transportation and Economic Development Appropriations; Health Care; Community Affairs; Domestic Security; and Senators Diaz de la Portilla and Wise—

CS for CS for CS for CS for CS for SB 1058—A bill to be entitled An act relating to emergency management; amending s. 252.355, F.S.; specifying additional entities and agencies that are required to provide registration information to persons with disabilities or special needs for purposes of inclusion within the registry of persons with special needs maintained by local emergency management agencies; providing that the Department of Community Affairs is the designated lead agency responsible for community education and outreach to the general public, including persons with special needs, regarding registration as a person with special needs, special needs shelters, and general information regarding shelter stays; providing that special needs shelters must allow persons with special needs to bring service animals into special needs shelters; revising provisions with respect to the required notification of residential utility customers of the availability of the special needs registration program; providing that specified confidential and exempt information relating to the roster of persons with special needs in special needs shelters be provided to local law enforcement; creating s. 252.3568, F.S.; requiring the Division of Emergency Management to address strategies for the evacuation of persons with pets in the shelter component of the state comprehensive emergency management plan; creating s. 252.357, F.S.; requiring the Florida Comprehensive Emergency Management Plan to permit the Agency for Health Care Administration to make initial contact with each nursing home and assisted

living facility in a disaster area; requiring the agency to annually publish an emergency telephone number that may be used by nursing homes and assisted living facilities to contact the agency; amending s. 252.385, F.S., relating to public shelter space; requiring the Division of Emergency Management of the Department of Community Affairs to biennially prepare and submit a statewide emergency shelter plan to the Governor and the Cabinet for approval; providing plan requirements; requiring the Department of Health to provide specified assistance to the division; revising the list of those facilities that are excluded as being suitable for use as public hurricane evacuation shelters; requiring local emergency management agencies to coordinate with public facilities to determine readiness prior to activation; amending s. 381.0303, F.S.; providing for the operation of special needs shelters; providing that local Children's Medical Services offices shall assume lead responsibility for specified coordination with respect to the development of a plan for the staffing and medical management of pediatric special needs shelters; requiring that such plans conform to the local comprehensive emergency management plan; requiring county governments to assist the Department of Health with nonmedical staffing and operation of special needs shelters; requiring county health departments and emergency management agencies to coordinate such efforts to ensure appropriate staffing; providing that the appropriate county health department, Children's Medical Services office, and local emergency management agency shall jointly determine the responsibility for medical supervision in a special needs shelter; providing notification requirements; requiring the emergency management agency and the local health department to coordinate efforts to ensure appropriate designation, operation, and closure of special needs shelters; requiring the Secretary of Elderly Affairs to convene multiagency special needs shelter discharge planning teams to assist local areas that are severely impacted by a natural or manmade disaster that requires the use of special needs shelters; providing duties and responsibilities of such discharge planning teams; providing for the inclusion of specified state agency representatives on each discharge planning team; revising provisions relating to reimbursement of health care practitioners; providing for eligibility of specified health care facilities for reimbursement when a multiagency special needs shelter discharge planning team discharges persons with special needs to such receiving facilities; providing procedures and requirements with respect to such reimbursement; requiring the department to specify by rule expenses that are reimbursable and the rate of reimbursement for services; revising provisions that prescribe means of and procedures for reimbursement; disallowing specified reimbursements; revising provisions with respect to the organization, role, duties, and composition of the special needs shelter interagency committee; requiring the department to adopt specified rules with respect to special needs shelters; amending ss. 400.492, 400.497, 400.506, 400.610, and 400.934, F.S.; revising requirements with respect to the comprehensive emergency management plans of home health agencies, nurse registries, and hospices, and providing requirements with respect to home medical equipment providers, to include the means by which continuing services will be provided to patients who evacuate to special needs shelters; authorizing the establishment of links to local emergency operations centers for specified purposes; revising requirements of a county health department with respect to review of a comprehensive emergency management plan submitted by a home health agency, nurse registry, or hospice; providing requirements upon failure to submit a plan or requested information to the department; providing for imposition of a fine; revising requirements of the Department of Health with respect to review of the plan of a home health agency or hospice that operates in more than one county; providing that the preparation and maintenance of a comprehensive emergency management plan by a home medical equipment provider is a requirement for licensure and must meet minimum criteria established by the Agency for Health Care Administration; providing plan requirements; providing that the plan is subject to review and approval by the county health department; requiring each home medical equipment provider to maintain a current prioritized list of patients who need continued services during an emergency; amending s. 400.925, F.S.; defining "life-supporting or life-sustaining equipment" for purposes of part X of ch. 400, F.S., relating to home medical equipment providers; amending s. 400.935, F.S.; requiring the Agency for Health Care Administration to adopt rules with respect to the comprehensive emergency management plan prepared by a home medical equipment services provider; amending s. 408.831, F.S.; providing that entities regulated or licensed by the Agency for Health Care Administration may exceed their licensed capacity to act as receiving facilities under specified circumstances; providing requirements while such entities are in an overcapacity status; providing for issuance of an inactive license to such licensees under

specified conditions; providing requirements and procedures with respect to the issuance and reactivation of an inactive license; providing fees; requiring certain health insurance companies to waive restrictions on filling prescriptions during a declared State of Emergency; providing an effective date.

By the Committee on Education Appropriations; and Senators Pruitt, Alexander, Webster, Wise, Baker, Argenziano, Sebesta, Constantine, Fasano, Lynn, Saunders, Crist, Peaden, Bennett, Haridopolos, Carlton, Posey, King, Atwater, Clary and Jones—

CS for SJR 1150—A joint resolution proposing an amendment to Section 1 of Article IX of the State Constitution relating to public education.

By the Committee on Government Efficiency Appropriations; and Senator Haridopolos—

CS for SJR 1158—A joint resolution proposing the creation of Section 19 of Article VII of the State Constitution, relating to a limitation on state appropriations.

By the Committee on Education Appropriations; and Senator Miller—

CS for SB 1174—A bill to be entitled An act relating to the Family and School Partnership for Student Achievement Act; amending s. 1002.23, F.S.; requiring that the Department of Education include in the parents' guide to student achievement information about parents' rights relating to their child's permanent record; requiring that a checklist of parental actions that can strengthen parental involvement in their child's education be reviewed during parent-teacher conferences; requiring school districts to include, when adopting specified rules, certain requirements requiring notification of parents concerning the academic performance or behavior of their child in school; providing an effective date.

By the Committee on Community Affairs; and Senator Atwater—

CS for SB 1190—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing for the effect of the sale of a public hospital to a private purchaser; providing that the purchaser of a public hospital is not acting on behalf of the public entity seller and is not an agency within the meaning of ch. 119, F.S., unless the sale document expressly provides to the contrary; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Constantine—

CS for SB 1194—A bill to be entitled An act relating to growth management; creating part II of ch. 171, F.S., the "Interlocal Service Boundary Agreement Act"; providing legislative intent with respect to annexation and the coordination of services by local governments; providing definitions; providing for the creation of interlocal service boundary agreements by a county and one or more municipalities or independent special districts; specifying the procedures for initiating an agreement and responding to a proposal for agreements; identifying issues the agreement may or must address; requiring that emergency medical services be provided by the existing provider to an annexed area with certain exceptions; requiring local governments that are a party to the agreement to amend their comprehensive plans; providing for review of the amendment by the state land planning agency; providing an exception to the limitation on plan amendments; specifying those persons who may challenge a plan amendment required by the agreement; providing for negotiation and adoption of the agreement; providing for preservation of certain agreements and powers regarding utility services; providing for preservation of existing contracts; providing prerequisites to annexation; providing a process for annexation; providing for the effect of an interlocal service boundary area agreement on the parties to the

agreement; providing for a transfer of powers; authorizing a municipality to provide services within an unincorporated area or territory of another municipality; authorizing a county to exercise certain powers within a municipality; providing for the effect on interlocal agreements and county charters; providing a presumption of validity; providing a procedure to settle a dispute regarding an interlocal service boundary agreement; amending s. 171.042, F.S.; revising the time period for filing a report; providing for a cause of action to invalidate an annexation; requiring municipalities to provide notice of proposed annexation to certain persons; amending s. 171.044, F.S.; revising the time period for providing a copy of a notice; providing for a cause of action to invalidate an annexation; creating s. 171.094, F.S.; providing for the effect of interlocal service boundary agreements adopted under the act; amending s. 171.081, F.S.; requiring a governmental entity affected by annexation or contraction to initiate conflict resolution procedures under certain circumstances; providing for initiation of judicial review and reimbursement of attorney's fees and costs regarding certain annexations or contractions; amending s. 163.01, F.S.; providing for the place of filing an interlocal agreement in certain circumstances; amending s. 164.1058, F.S.; providing that a governmental entity that fails to participate in conflict resolution procedures shall be required to pay attorney's fees and costs under certain conditions; requesting the Division of Statutory Revision to designate parts I and II of ch. 171, F.S.; providing for establishment of regional impact planning committees in geographic areas involving developments of regional impact by the Secretary of Community Affairs; specifying responsibilities of the committees; requiring each committee to prepare a vision and plan and report to the Governor and Legislature; providing for the establishment and operation of such committees; directing the Governor to appoint members from a list created by the regional planning councils; directing the regional planning councils to reimburse expenses incurred by a committee; providing an effective date.

By the Committees on Government Efficiency Appropriations; Community Affairs; and Senator Constantine—

CS for CS for SB 1196—A bill to be entitled An act relating to impact fees; creating s. 163.31801, F.S.; creating the “Florida Impact Fee Act”; providing legislative intent; requiring that an impact fee meet certain specified requirements concerning calculation of the fee, affordable housing, accounting for revenues and expenditures, provision of notice, collection of administrative costs, and the application of credits; providing reporting requirements for specific impact fees; excluding an impact fee or a permit fee from the definition of the term “sales price” in s. 212.02, F.S.; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Criminal Justice; and Senator Crist—

CS for CS for SB 1320—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records requirements for the home addresses, telephone numbers, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, senior juvenile detention officers, juvenile detention officer supervisors, juvenile detention officers, house parents I and II, house parent supervisors, group treatment leaders, group treatment leader supervisors, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice, the names, home addresses, telephone numbers, and places of employment of spouses and children of such personnel, and the names and locations of schools and day care facilities attended by the children of such personnel; providing for review and repeal; reenacting s. 409.2577, F.S., relating to disclosure of information to the parent locator service of the Department of Children and Family Services, for the purpose of incorporating the amendment to s. 119.071, F.S., in a reference thereto; providing a statement of public necessity; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Care; and Senators Peaden and Hill—

CS for CS for SB 1324—A bill to be entitled An act relating to the prevention of obesity; amending s. 381.0054, F.S.; requiring the Depart-

ment of Health to collaborate with other state agencies in developing policies and strategies to prevent obesity which shall be incorporated into agency programs; requiring the department to advise health care practitioners regarding morbidity, mortality, and costs associated with the condition of being overweight or obese; requiring the department to inform health care practitioners about clinical best practices for obesity prevention and to encourage practitioners to counsel their patients regarding the adoption of healthy lifestyles; providing an effective date.

By the Committee on Criminal Justice; and Senators Baker and Haridopolos—

CS for SB 1384—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying and harassment during education programs and activities, on school buses, or through use of data or computer software accessed through computer systems of certain educational institutions; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop model policies; providing immunity; providing restrictions with respect to defense of an action and application of the section; requiring department approval of a school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing for construction of the act; providing an effective date.

By the Committees on Government Efficiency Appropriations; Commerce and Consumer Services; Agriculture; and Senators Smith and Argenziano—

CS for CS for CS for SB 1388—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 482.021, F.S.; revising the definitions of the terms “employee” and “independent contractor” for purposes of pest control regulation; amending s. 482.051, F.S.; revising certain requirements of the department to adopt rules relating to the use of pesticides for preventing subterranean termites in new construction; amending s. 482.091, F.S.; clarifying provisions governing the performance of pest control services; amending s. 482.156, F.S.; requiring certification of individual commercial landscape maintenance personnel; revising the types of materials such personnel may use; removing obsolete provisions relating to fees; revising criteria for eligibility to take the commercial landscape maintenance personnel examination; clarifying requirements relating to proof of education and insurance; amending s. 482.211, F.S.; clarifying exemption of certain mosquito-control activities from regulation; amending s. 500.033, F.S.; renaming the Florida Food Safety and Food Security Advisory Council as the Florida Food Safety and Food Defense Advisory Council and revising duties accordingly; creating s. 570.954, F.S.; creating the Farm-to-Fuel Initiative; providing the purpose of the initiative and authorizing the department to conduct an education program; providing for coordination between the department and the Department of Environmental Protection; amending s. 582.06, F.S.; revising the membership of the Soil and Water Conservation Council; amending s. 828.30, F.S.; updating references to the Rabies Vaccination Certificate; amending s. 403.067, F.S.; clarifying rules adopted by the department relating to best-management practices; clarifying the authority for certain measures to be implemented by the Department of Environmental Protection for certain water bodies; repealing s. 482.211(11), F.S., relating to an exemption from ch. 482, F.S., provided for a yard worker when applying a pesticide to the lawn or ornamental plants of an individual residential property owner under certain circumstances; designating the “Austin Dewey Gay Agricultural Inspection Station” in Escambia County; amending s. 500.12, F.S.; exempting certain producers of sugar cane or sorghum syrup from permitting requirements; amending s. 570.249, F.S.; expanding the conditions under which loan funds to certain agricultural producers may be granted; increasing the maximum amount of a loan; providing definitions; providing an effective date.

By the Committee on Environmental Preservation; and Senator Dockery—

CS for SB 1416—A bill to be entitled An act relating to water resources; amending s. 373.196, F.S.; directing the South Florida Water Management District to develop recommendations addressing certain water storage methods; providing an effective date.

By the Committee on Banking and Insurance; and Senator Atwater—

CS for SB 1434—A bill to be entitled An act relating to conveyances of land; creating s. 689.072, F.S.; providing for the transfer and creation of custodial property in an individual retirement account or certain qualified plans; incorporating statutory provisions into such transfer; providing powers to the custodian or trustee of such custodial property; providing protections for persons dealing with the custodian or trustee; exempting certain transfers from specific claims; providing for the disposition of custodian property held in an account, plan or custodianship that is terminated; providing a standard of care for the custodian or trustee; providing for certain declarations to control in specific legal proceedings; providing that the act is inapplicable to a deed, mortgage, or instrument to which s. 689.071, F.S., applies; providing that provisions relating to deeds under statute of uses are not applicable to a transfer by a custodian or trustee under the act; providing for liberal construction; creating s. 694.17, F.S.; providing that conveyances to a custodian or trustee before a specified date are valid notwithstanding the statute of uses; providing an effective date.

By the Committees on Ways and Means; Government Efficiency Appropriations; and Senators Atwater and Campbell—

CS for CS for SJR 1436—A joint resolution proposing an amendment to Section 7 of Article XI of the State Constitution, relating to state tax or fee limitations, to specify application to imposition of new state taxes or fees, an increase or decrease in or elimination of existing state taxes or fees, and imposition of significant financial impact on state government.

By the Committee on Criminal Justice; and Senators Wise and Crist—

CS for SB 1458—A bill to be entitled An act relating to county funding; amending s. 218.23, F.S.; reducing the revenue-sharing distributions for certain counties; repealing s. 985.2155, F.S., relating to shared county and state responsibility for juvenile detention; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senator Wise—

CS for SB 1480—A bill to be entitled An act relating to career and professional academies; creating s. 1003.493, F.S.; defining “career and professional academy”; providing academy goals and duties; authorizing an academy to be offered as a described small learning community; creating s. 1003.494, F.S.; requiring the Department of Education to establish a Career High-Skill Occupational Initiative for Career Education (CHOICE) project as a competitive process for the designation of school district participants and CHOICE academies; defining “CHOICE academy” and providing purposes thereof; providing eligibility criteria for such designation and duties of participating school districts and the department; providing for the award to school district participants in the CHOICE project of startup funds for the development of CHOICE academies; amending ss. 288.9015 and 445.004, F.S.; providing duties of Enterprise Florida, Inc., and Workforce Florida, Inc., to conform; providing an effective date.

By the Committee on Regulated Industries; and Senator Posey—

CS for SB 1486—A bill to be entitled An act relating to professional regulation by the Department of Business and Professional Regulation;

amending s. 468.385, F.S.; requiring an applicant for an auctioneer license to submit fingerprints with the application; amending s. 468.609, F.S.; providing eligibility requirements for a person to take the examination for certification as a building code inspector or plans examiner; revising a reference to the organization administering certain examinations; amending s. 468.617, F.S.; authorizing certain limited certificate-holders to provide services to specified jurisdictions; amending s. 468.619, F.S.; providing for the application of the building code enforcement officials’ bill of rights to certain disciplinary investigations and proceedings; amending s. 468.621, F.S.; providing for disciplinary proceedings for violations involving failure to follow building code or permit requirements, obstructing an investigation, and accepting services at a noncompetitive rate from any person whose work is under the enforcement authority of the official, under certain circumstances; amending s. 468.627, F.S.; providing requirements for continuing education in ethics; removing provisions relating to an option of taking an equivalency test in lieu of taking core curriculum classes; amending s. 489.115, F.S.; requiring applicants for initial issuance of a certificate or registration as a contractor to submit to criminal history records checks; authorizing the board to deny licensure to certain applicants; specifying matters the board must consider concerning licensure; prohibiting the denial of licensure based solely on a felony conviction or the status of the civil rights of the applicant; specifying that guidelines for determining financial stability may include minimum requirements for net worth, cash, and bonding; providing that a portion of financial requirements may be met by completing specified coursework; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Fasano—

CS for SB 1512—A bill to be entitled An act relating to surplus state lands; amending s. 253.034, F.S.; providing for reconveyance of certain state lands to certain fair associations under certain circumstances; authorizing certain agencies to remove certain improvements, fixtures, goods, wares, and merchandise from such lands within a time certain after reconveyance; providing for expiration; providing an effective date.

By the Committee on Criminal Justice; and Senator Diaz de la Portilla—

CS for SB 1522—A bill to be entitled An act relating to time limitations for criminal prosecutions; amending s. 775.15, F.S.; specifying the applicability period of a provision allowing an additional limitations period for specified offenses in certain circumstances; providing that a prosecution for specified offenses, unless otherwise barred by law, may be commenced at any time after the date on which the identity of the accused is established, or should have been established by the exercise of due diligence, through the analysis of deoxyribonucleic acid (DNA) evidence; providing an effective date.

By the Committee on Criminal Justice; and Senator Alexander—

CS for SB 1596—A bill to be entitled An act relating to offenses involving insurance; amending s. 316.068, F.S.; providing that a crash report must contain specified information, if available; providing a rebuttable presumption; amending s. 322.21, F.S.; providing an additional fee for certain offenses relating to insurance crimes; providing for deposit of the fee into the Highway Safety Operating Trust Fund; amending s. 322.26, F.S.; providing an additional circumstance relating to insurance crimes for mandatory revocation of a person’s driver’s license; amending s. 400.9935, F.S.; providing penalties for medical directors of certain health care clinics who refer patients to their own clinics for specified medical procedures; requiring health care clinics to display signs containing certain information relating to insurance fraud; authorizing compliance inspections by the Division of Insurance Fraud; requiring clinics to allow inspection access; amending s. 440.105, F.S.; deleting the provision that a violation of a stop-work order is a misdemeanor of the first degree; providing that the failure to secure required workers’ compensation insurance coverage constitutes insurance fraud; amending s. 456.054, F.S.; revising the definition of the term “kickback” for criminal prosecution purposes; amending s. 624.15, F.S.; specifying violations of rules of the Department of Financial Services, Office of

Insurance Regulation, or Financial Services Commission as misdemeanors; specifying a violation of emergency rules or orders as a felony of the third degree; providing penalties; providing for nonapplication to certain persons; amending s. 626.112, F.S.; providing a criminal penalty for knowingly transacting insurance without a license; amending s. 626.938, F.S.; revising provisions requiring a report and taxation of independently procured coverages; specifying nonauthorization of independent procurement of workers' compensation, life, or health insurance; amending s. 626.9891, F.S.; expanding authorization to impose administrative fines on insurers for failure to comply with certain anti-fraud plan or anti-fraud investigative unit description requirements; providing that anti-fraud plans and anti-fraud investigative unit descriptions are trade secrets; requiring certain hearing officers to preserve the secrecy of such trade secrets; providing that findings, statements, and documents relating to anti-fraud plans and anti-fraud investigative unit descriptions may be subject to similar unauthorized disclosure; creating s. 626.9893, F.S.; authorizing the division to deposit certain revenues into the Insurance Regulatory Trust Fund; specifying accounting and uses of such revenues; providing for appropriation and use of such revenues; amending s. 627.4133, F.S.; providing that any retroactive assumption of coverage and liabilities under a policy providing workers' compensation and employer's liability insurance may not exceed 21 days; amending s. 627.736, F.S.; requiring insurers to provide certain persons with notice of the department's Anti-Fraud Reward Program and the criminal violations that may be reported in pursuit of a reward; amending s. 627.7401, F.S.; requiring that notice to consumers of possible insurance fraud be added to the notice of consumer's rights to receive personal injury protection benefits under the Florida Motor Vehicle No-Fault Law; amending s. 627.912, F.S.; authorizing the Office of Insurance Regulation to adjust certain fines; amending s. 817.234, F.S.; revising provisions specifying material omission and insurance fraud; prohibiting scheming to create documentation of a motor vehicle crash that did not occur; providing a criminal penalty; amending s. 817.2361, F.S.; providing that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; amending s. 817.50, F.S.; specifying nonapplication of provisions specifying evidence of intent to defraud to certain investigative actions taken by law enforcement officers; amending s. 817.505, F.S.; providing an additional patient brokering prohibition, to which penalties apply; revising a definition; amending s. 843.08, F.S.; providing a criminal penalty for falsely assuming or pretending to be an officer of the Department of Financial Services; amending s. 932.7055, F.S.; requiring certain proceeds seized by the division under the Florida Contraband Forfeiture Act to be deposited into certain trust funds; providing severability; providing an effective date.

By the Committees on Ways and Means; Commerce and Consumer Services; and Senators Baker, Aronberg, Argenziano, Alexander, Bennett, Lawson, Peadar, Smith, Lynn, Bullard, King and Campbell—

CS for CS for SB 1612—A bill to be entitled An act relating to fiscally constrained counties; amending s. 202.18, F.S.; providing for a distribution of communications services taxes to fiscally constrained counties; amending s. 218.65, F.S.; providing for a transitional emergency distribution from the Local Government Half-cent Sales Tax Clearing Trust Fund to certain fiscally constrained counties; revising criteria for receiving certain funds from the Local Government Half-cent Sales Tax Clearing Trust Fund; creating s. 218.67, F.S.; providing eligibility criteria to qualify as a fiscally constrained county; providing for the distribution of additional funds to certain fiscally constrained counties; providing for a phaseout period; providing for the use of funds; amending s. 985.2155, F.S.; revising the definition of the term "fiscally constrained county" applicable to shared county and state responsibility for juvenile detention; providing an effective date.

By the Committees on Justice Appropriations; Criminal Justice; and Senator Haridopolos—

CS for CS for SB 1622—A bill to be entitled An act relating to inmate litigation costs; creating s. 945.6038, F.S.; requiring the Department of Corrections to charge inmates for specified costs relating to inmate civil litigation; authorizing liens on inmate trust funds; requiring rulemaking; providing for application of the act; providing an effective date.

By the Committees on Education Appropriations; Education; and Senators Lawson, Bullard, Lynn, Miller, Wilson and Dawson—

CS for CS for SB 1750—A bill to be entitled An act relating to student financial assistance; creating s. 1009.701, F.S.; creating the First Generation Matching Grant Program to provide financial aid to undergraduate students of a state university who have a financial need and whose parents have not earned a baccalaureate degree; providing for the appropriation, allocation, and distribution of funds; providing student eligibility requirements; providing duties of institutions participating in the program; providing an appropriation; creating s. 1009.892, F.S.; requiring postsecondary institutions to include certain testing costs in the costs of attendance; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Transportation; and Senator Sebesta—

CS for CS for SB 1766—A bill to be entitled An act relating to transportation; amending s. 112.061, F.S.; authorizing metropolitan planning organizations and certain separate entities to establish per diem and travel reimbursement rates; amending s. 121.021, F.S.; revising the definition of "local agency employer" to include metropolitan planning organizations and certain separate entities for purposes of the Florida Retirement System Act; revising the definition of "regularly established position" to include positions in metropolitan planning organizations; amending s. 121.051, F.S.; providing for metropolitan planning organizations to participate in the Florida Retirement System; amending s. 121.055, F.S.; requiring certain metropolitan planning organization and similar entity staff positions to be in the Senior Management Service Class of the Florida Retirement System; amending s. 121.061, F.S.; providing for enforcement of certain employer funding contributions required under the Florida Retirement System; authorizing deductions of amounts owed from certain funds distributed to a metropolitan planning organization; authorizing the governing body of a metropolitan planning organization to file and maintain an action in court to require an employer to remit retirement or social security member contributions or employer matching payments; amending s. 121.081, F.S.; providing for metropolitan planning organization officers and staff to claim past service for retirement benefits; creating s. 336.68, F.S.; providing that a property owner having real property located within the boundaries of a community development district and a special road and bridge district may select the community development district to be the provider of the road and drainage improvements to the property of the owner; authorizing the owner of the property to withdraw the property from the special road and bridge district; specifying the procedures and criteria required in order to remove the real property from the special road and bridge district; authorizing the governing body of the special road and bridge district to file a written objection to the proposed withdrawal of the property; amending s. 339.155, F.S.; authorizing the development of additional regional transportation plans by regional transportation planning organizations in certain areas; providing membership requirements for regional transportation planning organizations comprising representatives of transportation planning and economic development interests within a region; authorizing a regional transportation planning organization to be expanded upon agreement of the regional transportation authority and representatives of the area to be expanded into, or mode to be included; providing for the development of by-laws and establishing minimum terms for certain members of the regional transportation authority; creating the Bay Area Transportation Regional Planning Organization in Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties, comprised of representatives of transportation planning and economic development interests within the region; authorizing the Bay Area Regional Transportation Planning Organization to be expanded upon agreement of the regional transportation authority and of the area to be expanded into, or mode to be included; providing for the development of by-laws and establishing minimum terms for certain members of the regional transportation representatives authority; precluding regional transportation organization members from compensation; providing an appropriation; amending s. 339.2819, F.S.; providing that the Transportation Regional Incentive Program may fund up to 75 percent of costs for projects identified in a regional transportation plan developed by a regional transportation planning organization; amending s. 339.175, F.S.; specifying that a metropolitan planning organization is a separate legal entity independent of entities represented on the M.P.O. and signatories to the agreement creating the M.P.O.; providing for transfer of responsibilities and liabilities to the new M.P.O. upon execution of a new interlocal agreement by

the governmental entities constituting the M.P.O.; providing for selection of certain officers and an agency clerk; revising requirements for voting membership; specifying that certain constitutional officers are not elected officials of a general-purpose local government for voting membership purposes; establishing a process for appointing alternate members; revising provisions for nonvoting advisers; revising provisions for employment of staff by an M.P.O.; providing for training of certain persons who serve on an M.P.O. for certain purposes; providing additional powers and duties of M.P.O.'s; revising voting requirements for approval of certain plans and programs and amendments thereto; requiring the Florida Transportation Commission to conduct a study of the progress made by M.P.O.'s to establish improved coordinated transportation planning processes; requiring a report; detailing the issues the report must consider; requiring that the report be submitted to the Governor and the Legislature by a specified date; amending s. 20.23, F.S.; providing that the salary and benefits of the executive director of the Florida Transportation Commission shall be set in accordance with the Senior Management Service; amending s. 332.007, F.S.; authorizing the Department of Transportation to provide funds for certain general aviation projects under certain circumstances; amending s. 332.007, F.S., relating to the administration and financing of aviation and airport operational and maintenance projects of publicly owned airports; changing the expiration date of the financial programs to the year 2012 from 2007; amending s. 212.055, F.S.; redesignating the charter county transit system surtax as the charter county transportation system surtax; providing that the proposal to adopt such a discretionary sales surtax and create a trust fund may be placed on the ballot pursuant to an initiative petition if the county charter so provides; providing additional purposes for which the proceeds from the surtax may be used; allowing counties that are not charter counties to levy, by ordinance, a county transportation system surtax; requiring that a discretionary sales surtax that is to be adopted by referendum be placed on the ballot at a time set at the discretion of the governing body of a county; requiring that the proceeds from a surtax be distributed to a county and to each municipality within the county according to an interlocal agreement or an apportionment factor; providing that the proceeds from the surtax be used for certain purposes as considered appropriate by the county commission; providing an effective date.

By the Committees on Health and Human Services Appropriations; Education; Children and Families; and Senators Rich and Lynn—

CS for CS for CS for SB 1798—A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; revising eligibility requirements for certain young adults; revising duties of the Department of Children and Family Services regarding independent living transition services; including additional parties in the review of a child's academic performance; requiring the department or a community-based care lead agency under contract with the department to develop a plan for delivery of such services; revising provisions governing life skills services; requiring that the department or provider work with the child to develop a joint transition plan; requiring judicial review of the plan; requiring additional aftercare support services; providing additional qualifications to receive an award under the Road-to-Independence Program; deleting certain time restrictions for submitting applications; providing procedures for the payment of awards; requiring a community-based care lead agency to develop a plan for purchase and delivery of such services and requiring department approval prior to implementation; requiring the department to submit a report annually to the Legislature on performance, oversight, and rule development; permitting the Independent Living Services Advisory Council to have access to certain data held by the department and certain agencies; amending ss. 39.013 and 1009.25, F.S.; conforming references to changes made by the act; amending s. 39.701, F.S.; requiring the court to issue an order, separate from any other judicial review order, that the disabilities of nonage of the youth have been removed from the youth in foster care; creating s. 743.045, F.S.; removing the disability of nonage for certain youth in the legal custody of the Department of Children and Family Services who are in foster care to enable the youth to execute a contract for the lease of residential property in order that the youth may move into the leased residential property on the day of the youth's 18th birthday; providing specified eligibility criteria; providing for the validity of the contracts; requiring the youth to present an order from a court of competent jurisdiction removing the disability of nonage; amending s. 409.903, F.S.; providing eligibility criteria for certain persons for medi-

cal assistance payments; providing an appropriation; providing an effective date.

By the Committees on Government Efficiency Appropriations; and Community Affairs—

CS for CS for SB 1858—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; conforming terminology; amending s. 163.3177, F.S.; correcting a cross-reference; amending s. 163.3180, F.S.; correcting cross-references; conforming terminology; amending s. 163.3184, F.S.; correcting a cross-reference; amending s. 163.3247, F.S.; expanding the membership of the Century Commission for a Sustainable Florida; revising the date for completion of appointments to the commission; amending s. 339.2819, F.S.; correcting a cross-reference; repealing s. 339.55(10), F.S., which appropriates certain funds to the State Infrastructure Bank from the State Transportation Trust Fund; amending s. 380.06, F.S.; conforming terminology; amending s. 1013.65, F.S.; revising the sum appropriated for the Classrooms for Kids Program; providing a continuing appropriation for the High Growth District Capital Outlay Assistance Grant Program; amending s. 1013.738, F.S.; revising the prerequisites to the establishment of the High Growth District Capital Outlay Assistance Grant Program; revising the eligibility criteria for the program; revising provisions for allocation of funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund; reducing the amount appropriated in section 27 of chapter 2005-290, Laws of Florida, to the State Transportation Trust Fund in the Department of Transportation for the 2005-2006 fiscal year; providing an appropriation; providing an effective date.

By the Committees on Environmental Preservation; Community Affairs; Agriculture; and Senator Argenziano—

CS for CS for CS for SB 1880—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

By the Committee on Judiciary—

CS for SJR 1918—A joint resolution proposing the revision of the whole State Constitution to correct spelling errors, punctuation errors, inconsistent use of capitalization, and other technical issues; to repeal obsolete provisions; to repeal portions of Article VI, section 4, which provide for term limits on certain federal officeholders and which have been held to be unconstitutional; to repeal Article X, section 1, which pertains to the ratification of amendments to the U.S. Constitution and has been held to be unconstitutional; to repeal Article X, section 5, which pertains to the property rights of married persons and authorizes dower and curtesy to be established by law; to repeal Article I, section 26, which pertains to a claimant's right to compensation in medical liability claims, and to provide for its codification as a statute; to repeal Article X, section 21, which pertains to the confinement of pregnant pigs, and to provide for its codification as a statute; to repeal Article X, section 25, which pertains to a patient's right to know about adverse medical incidents, and to provide for its codification as a statute; to repeal Article X, section

26, which pertains to a prohibition on having a medical license after repeated medical malpractice, and to provide for its codification as a statute; to prohibit the modification, repeal, or acts inconsistent with constitutional provisions codified as statutes, except upon a supermajority vote of both houses of the Legislature for a certain period of time; to correct the date by which the Taxation and Budget Reform Commission must file proposed constitutional amendments with the custodian of state records; and to provide for the incorporation of amendments adopted during the 2006 general election.

By the Committees on Health and Human Services Appropriations; Health Care; and Senators Peaden and Fasano—

CS for CS for SB 1924—A bill to be entitled An act relating to long-term care coverage; reenacting and amending s. 409.9102, F.S.; directing the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation and the Department of Children and Family Services, to amend the Medicaid state plan that established the Florida Long-Term Care Partnership Program for purposes of compliance with provisions of the Social Security Act; establishing a qualified state Long-Term Care Insurance Partnership Program in Florida; providing duties of the program; requiring consultation with the Office of Insurance Regulation and the Department of Children and Family Services for the creation of standards for certain information; providing rulemaking authority to the agency for implementation of s. 409.9102, F.S.; providing rulemaking authority to the department regarding determination of eligibility for certain services; creating s. 627.94075, F.S.; providing rulemaking authority to the Financial Services Commission for the implementation of a qualified state Long-Term Care Insurance Partnership Program in Florida; repealing ss. 1 and 2 of ch. 2005-252, Laws of Florida, to delete conflicting provisions relating to the determination of eligibility for nursing and rehabilitative services and the establishment of the Florida Long-Term Care Partnership Program that were contingent upon amendment to the Social Security Act; amending s. 4 of ch. 2005-252, Laws of Florida, to delete a contingency in an effective date; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on the implementation of a qualified state Long-Term Care Insurance Partnership Program in Florida to the Governor and Legislature; creating s. 627.94076, F.S.; requiring long-term care insurance policies to provide incontestability after a certain time period; providing an exception; amending s. 627.9403, F.S.; specifying that certain limited benefit policies are a type of long-term care insurance policy; deleting an exemption from a minimum time period coverage requirement for certain limited benefit policies; amending s. 627.9404, F.S.; revising definitions; amending s. 627.9407, F.S.; revising certain restrictions on long-term care insurance policies; providing additional rate structure requirements for long-term care insurance policies; amending s. 641.2018, F.S.; correcting a cross-reference; providing application; providing an appropriation; providing an effective date.

By the Committee on Banking and Insurance; and Senator Aronberg—

CS for SB 1956—A bill to be entitled An act relating to land trusts; amending s. 689.071, F.S.; providing a short title; providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; deleting a requirement that a trustee be qualified to act as a fiduciary; deleting obsolete references to “dower” and “curtesy”; specifying rights, liabilities, and duties of land trust beneficiaries; providing that the principal residence of a beneficiary which is held in a land trust is entitled to the homestead tax exemption under certain circumstances; providing for the appointment of successor trustees; providing requirements for declarations of appointment; providing that a trustee of a land trust may be a creditor of the trust or of a trust beneficiary; amending s. 201.02, F.S.; conforming a cross-reference; providing application; providing an effective date.

By the Committee on Banking and Insurance; and Senator Garcia—

CS for SB 1976—A bill to be entitled An act relating to public records and meetings; creating s. 627.3121, F.S.; providing an exemption from public-records requirements for certain records of the Florida Workers’

Compensation Joint Underwriting Association, Inc.; authorizing the release of records that are confidential and exempt from disclosure to another agency in the performance of that agency’s official duties; requiring the receiving agency to maintain the confidentiality of the records; providing an exemption from public-meetings requirements for portions of a meeting of the association’s board of governors or a subcommittee during which confidential records are discussed; requiring that exempt portions of meetings be recorded, transcribed, and maintained for a specified period; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committees on Education Appropriations; and Education—

CS for CS for SB 2048—A bill to be entitled An act relating to education; providing guidelines for implementing the E-COMP plan or a comparable performance pay plan, policy, or rule adopted by the State Board of Education after a specified date; providing for the implementation of the Ready to Work Initiative; amending s. 20.15, F.S.; establishing the Division of Accountability, Research, and Measurement in the Department of Education; repealing s. 446.609, F.S., relating to the “Jobs for Florida’s Graduates Act”; amending s. 1000.03, F.S.; specifying that the mission of the state’s K-20 education system is to provide rigorous and relevant learning opportunities for students; repealing s. 1000.041, F.S., to conform provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; amending s. 1001.03, F.S.; requiring the State Board of Education to facilitate the review of the Sunshine State Standards and provide a report to the Governor and Legislature; requiring the maintenance of a uniform school district personnel classification system; creating s. 1001.215, F.S.; creating the Just Read, Florida! Office in the Department of Education; providing duties; amending s. 1001.33, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; amending s. 1001.41, F.S.; requiring district school boards to adopt standards and policies to provide to each student a complete education program; amending s. 1001.42, F.S., relating to requirements of district plans for school improvement; providing requirements for district school boards in developing the plans; providing that the opening date for the school year may not be earlier than a specified date; repealing s. 1001.51(24), F.S., and amending s. 1001.54, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; requiring each secondary school principal to implement a school redesign component; amending s. 1003.01, F.S.; revising the definition of the terms “special education services” and “career education”; amending s. 1003.03, F.S.; requiring that each teacher assigned to any classroom be included in the calculation for compliance with constitutional class-size limits; providing criteria for teaching strategies that involve assigning more than one teacher to a classroom; providing for retroactive application; prohibiting the imposition of penalties for the use of any legal strategy relating to the implementation of class-size reduction; amending s. 1003.05, F.S.; deleting the requirement that certain children receive preference for admission to special academic programs; revising programs defined as “special academic programs” for purposes of such preference; amending s. 1003.21, F.S.; requiring student exit interviews prior to terminating school enrollment; amending s. 1003.415, F.S.; renaming the Middle Grades Reform Act as the “Florida Secondary Schools Redesign Act”; providing legislative purpose and intent; requiring that school boards adopt policies for the secondary school redesign component; providing requirements for the middle school plans and high school plans; requiring each middle school to develop a personalized academic and career plan for each student; requiring that the plan be refined each year; providing requirements for remediation; requiring that the Department of Education provide model personalized academic and career plans; requiring public schools and charter schools to provide a progress monitoring plan for students who score below a specified level on the FCAT; creating s. 1003.4156, F.S.; specifying general requirements for middle school promotion; requiring an intensive reading course under certain circumstances; requiring school district policies for implementation and authorizing alternative methods for progression; amending s. 1003.42, F.S., relating to required instruction; revising the requirements for studying U.S. history and free enterprise; creating s. 1003.428, F.S.; providing revised requirements for high school graduation; specifying the required courses; requiring that certain courses be based on the student’s performance on the FCAT; requiring that district school

boards establish policies for implementing secondary school reform; requiring the Department of Education to increase the number of courses that are available to school districts; providing for the State Board of Education to adopt rules; amending s. 1003.429, F.S.; revising requirements applicable to selecting an option for accelerated high school graduation; revising required courses for the 3-year standard college preparatory program; revising requirements for grades that must be earned to participate in the accelerated program; providing for default to the standard graduation requirements in certain circumstances; amending s. 1003.437, F.S.; including middle grades in the uniform grading system; amending s. 1003.491, F.S.; including within career education personal and career plans; creating s. 1003.493, F.S.; defining the term "career and professional academy"; providing academy goals and duties; providing types of career and professional academies; providing for the approval of career education courses as core curricula courses under certain circumstances; creating s. 1003.494, F.S.; requiring the Department of Education to establish a Career High-Skill Occupational Initiative for Career Education (CHOICE) project as a competitive process for the designation of school district participants and CHOICE academies; providing eligibility criteria for such designation; providing duties of school districts and the department; providing for the award to certain school districts of startup funds for the development of CHOICE academies; creating s. 1003.495, F.S.; requiring the department to establish a comprehensive career academy project to provide for the designation of comprehensive career academies; providing duties of the department; providing for assessment of academies; amending s. 1003.43, F.S.; requiring district school board student progression plans to provide for the substitution of certain courses for credit requirements for high school graduation; amending ss. 288.9015 and 445.004, F.S.; providing duties of Enterprise Florida, Inc., and Workforce Florida, Inc., to conform; amending s. 1003.51, F.S.; modifying guidelines for funding requirements that must be included in a rule adopted by the State Board of Education and relating to education programs for youth in Department of Juvenile Justice programs; amending s. 1003.57, F.S.; providing guidelines for determining the residency of a student who receives instruction as an exceptional student with a disability; requiring the student's placing authority or parent to pay the cost of such instruction, facilities, and services; providing responsibilities of the Department of Education; providing responsibilities of residential facilities that educate exceptional students with disabilities; providing applicability; creating s. 1003.576, F.S.; requiring the Department of Education to develop an individual education plan form for use in developing and implementing individual education plans for exceptional students; requiring school districts to use the form; amending s. 1003.58, F.S.; correcting a cross-reference; amending s. 1003.62, F.S.; conforming provisions relating to the designation of school grades and differentiated-pay policies; creating s. 1004.64, F.S.; establishing the Florida Center for Reading Research; specifying the duties of the center; amending s. 1006.09, F.S.; conforming a cross-reference; amending s. 1007.21, F.S.; revising the readiness requirements for postsecondary education and the workplace; amending s. 1007.2615, F.S.; revising the date by which a teacher of American Sign Language must be certified; deleting a provision allowing alternative certification; amending s. 1007.271, F.S.; revising the weighting systems for certain high school courses; amending s. 1008.22, F.S.; specifying FCAT grade level and subject area testing requirements; requiring documentation of procedures that ensure test difficulty under certain circumstances; requiring the State Board of Education to conduct concordance studies to determine FCAT equivalencies for high school graduation; deleting a limitation on and specifying requirements for the use of alternative assessments to the grade 10 FCAT; requiring an annual report on student performance; amending s. 1008.25, F.S.; revising requirements for assessment and remediation; requiring that students be provided with strategies for intervention and instruction; repealing s. 1008.301, F.S., relating to a concordance study of FCAT equivalencies for high school graduation; amending s. 1008.31, F.S.; revising goals and measures of the K-20 performance accountability system and requiring data quality improvements; providing for development of reporting or data collection requirements; amending s. 1008.33, F.S.; conforming a cross-reference and provisions relating to the designation of school grades; prohibiting, in a contract that provides for a private entity to administer an alternative school, a provision that changes certain characteristics of the student population as it existed when the school was a public school; amending s. 1008.34, F.S.; revising terminology and provisions relating to designation and determination of school grades; providing for the designation of school grades for feeder pattern schools under certain circumstances; requiring that a school performance grade category designation include achievement scores and, by a specified deadline, include learning gains for students seeking

a special diploma; specifying use of assessment data with respect to alternative schools; defining the term "home school"; requiring an annual school report card to be published by the department and distributed by school districts; creating s. 1008.341, F.S.; requiring improvement ratings for certain alternative schools; providing the basis for such ratings and requiring annual performance reports; providing for determination of school improvement ratings, identification of learning gains, and eligibility for school recognition awards; requiring the development and distribution of an annual school report card; amending s. 1008.345, F.S.; conforming cross-references and provisions relating to the designation of school grades; amending s. 1009.24, F.S.; providing that undergraduate tuition be set annually in the General Appropriations Act; providing authority, procedures, and guidelines for determining tuition for graduate and professional programs and for determining out-of-state fees for all programs; amending s. 1011.62, F.S.; providing FTE funding for juveniles enrolled in specified education programs; providing funding for supplemental educational programs; providing funding for supplemental educational services for certain students; conforming cross-references and provisions relating to the designation of school grades; establishing a research-based reading instruction allocation to provide funds for a comprehensive reading instruction system; requiring school district plans for use of the allocation and approval thereof; including the allocation in the total amount allocated to each school district for current operation; amending s. 1011.64, F.S.; conforming terminology and a cross-reference; amending s. 1011.685, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program and implementation of a differentiated-pay policy; amending s. 1011.71, F.S.; correcting a cross-reference; amending s. 1012.21, F.S.; requiring the department to annually post online school district collective bargaining contracts and the salary and benefits of certain personnel; amending s. 1012.22, F.S.; requiring that each school district adopt a differentiated-pay policy meeting specified criteria; requiring each district school board to annually provide to the department its negotiated collective bargaining contract and the salary and benefits of certain personnel; creating s. 1012.2315, F.S.; providing school district requirements for the assignment of teachers and authorizing incentives; providing procedures for noncompliance; providing requirements relating to collective bargaining; requiring reporting by certain schools; amending s. 1012.27, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program and implementation of a differentiated-pay policy; amending s. 1012.28, F.S.; conforming a cross-reference; amending s. 1012.34, F.S.; conforming provisions relating to deletion of a rigorous reading requirement; amending s. 1012.56, F.S., relating to middle grades certification; encouraging school districts to provide for additional certification for teachers; amending s. 1012.98, F.S., relating to the School Community Professional Development Act; revising the purpose of the professional development system; providing for additional activities; requiring instructional strategies and methods that support rigorous, relevant, and challenging curriculum; providing requirements for followup support and the master plan for inservice activities; providing requirements for the individual professional development plan for instructional employees; requiring the department to disseminate best-practice methods and model professional development programs; creating s. 1012.986, F.S.; providing for a statewide system for the professional development of school leaders consisting of a collaborative network of professional organizations; providing goals of the network; repealing s. 1012.987, F.S., which requires the State Board of Education to adopt rules through which school principals may earn a leadership designation; providing an effective date.

By the Committees on Environmental Preservation; General Government Appropriations; and Senators Clary and Lawson—

CS for CS for SB 2062—A bill to be entitled An act relating to environmental permitting; amending s. 373.4145, F.S.; requiring the Northwest Florida Water Management District and the Department of Environmental Protection to jointly develop rules for the regulation of certain activities related to stormwater management systems and the management and storage of surface waters; requiring the district and the department to streamline federal and state wetland permitting programs and to implement such measures; requiring certain exemptions and provisions for rules relating to certain dwellings; requiring the department and the district to enter into an operating agreement for the implementation of certain provisions; requiring the district to be responsible for the regulation and local delegation of certain activities; repeal-

ing certain provisions upon the adoption of rules; removing a repealer provision; providing an appropriation; providing an effective date.

By the Committees on Education Appropriations; Commerce and Consumer Services; and Senators Alexander, King, Klein, Crist and Lynn—

CS for CS for SB 2084—A bill to be entitled An act relating to advanced science and technology research; creating s. 1004.226, F.S.; creating the 21st Century Technology, Research, and Scholarship Enhancement Act; providing legislative findings and intent; providing definitions; creating the Florida Technology, Research, and Scholarship Board within the Board of Governors of the State University System; providing for members of the board; providing for terms; providing for board members to be reimbursed for per diem and expenses incurred in the performance of their duties; requiring that the Board of Governors of the State University System provide staff support and other support for the board; requiring that the board provide recommendations for the 21st Century World Class Scholars Program and the Centers of Excellence Program; authorizing the board to form committees and consult with certain other entities; providing for the 21st Century World Class Scholars Program to provide matching funds to state universities to pay salaries and support research in science and technology; providing guidelines for the board to consider in developing its criteria for an award of matching funds; requiring a minimum investment of private funds; specifying the purposes of the Centers of Excellence; identifying the entities that are eligible to submit proposals for a center of excellence; requiring that the board develop criteria for approving proposals to create or expand a Center of Excellence; requiring that the board solicit proposals and notify state universities and research centers of a call for proposals; requiring that a Center of Excellence approved under the act report on its achievement of objectives; requiring certain documentation if funds are approved for a Center of Excellence in excess of a specified amount; requiring that the board submit an annual report to the Governor and Legislature; providing appropriations; providing for carrying forward certain unexpended balances of an appropriation; providing for the future repeal of the act; providing an effective date.

By the Committees on Government Efficiency Appropriations; Commerce and Consumer Services; and Senators Saunders and Crist—

CS for CS for SB 2110—A bill to be entitled An act relating to entertainment industry economic development; amending s. 212.08, F.S.; providing for an entertainment industry credit of sales and use taxes paid on qualified expenditures; providing criteria, requirements, procedures, and limitations on the credit; providing for uses of the credit; providing duties and responsibilities of the Office of Film and Entertainment and the Department of Revenue; authorizing the Office of Tourism, Trade, and Economic Development to adopt rules; providing for liability for fraudulent credit applications; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain tax credit and tax refund information to the Office of Film and Entertainment and the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; revising the order of priority list of applicable credits against certain taxes; creating s. 220.192, F.S.; providing for an entertainment industry corporate income tax credit of a percentage of certain qualified expenditures; providing criteria, requirements, procedures, and limitations on the credit; providing for uses and allocations of the credit; authorizing the Office of Tourism, Trade, and Economic Development to adopt rules; providing for liability for fraudulent credit applications; providing for use and carryforward of the credit; providing for transfers of the credit; providing for noncorporate distributions of tax credits; authorizing the Department of Revenue to adopt rules; amending s. 288.1254, F.S.; revising the entertainment industry financial incentive program to provide corporate income tax and sales and use tax credits to qualified entertainment entities rather than reimbursements from appropriations; revising provisions relating to definitions, creation and scope, application procedures, approval process, eligibility, required documents, qualified productions, and annual reports; providing criteria and limitations for awards of tax credits; providing marketing requirements; requiring the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; providing liability for reimbursement of certain costs and fees associated with fraudulent applications; providing for future repeal; providing an effective date.

By the Committees on Health and Human Services Appropriations; Criminal Justice; and Banking and Insurance—

CS for CS for CS for SB 2112—A bill to be entitled An act relating to health care clinics; amending s. 400.990, F.S.; providing additional legislative findings; amending s. 400.9905, F.S.; redefining the term “clinic” for purposes of the Health Care Clinic Act to include certain additional providers; excluding certain facilities owned by publicly traded corporations; defining the terms “specialty clinic,” “infusion therapy,” and “fraud”; amending s. 400.991, F.S.; requiring specialty clinics to be subject to licensure requirements; requiring additional persons to be subject to background screening; revising certain requirements for applying for licensure as a health care clinic; creating additional requirements for applying for licensure as a specialty clinic; providing additional grounds under which an applicant may be denied licensure due to a finding of guilt for committing a felony; providing grounds for the denial of specialty clinic licensure; amending s. 400.9915, F.S.; including specialty clinics within clinic inspection requirements; amending s. 400.992, F.S.; including specialty clinics within requirements for license renewal, transfer of ownership, and provisional licensure; amending s. 400.9925, F.S.; providing the agency with rulemaking authority regarding specialty clinics; stating that the licensure fee for a specialty clinic is nonrefundable and may not exceed \$2,000; amending s. 400.993, F.S.; including specialty clinics within provisions regarding unlicensed clinics; providing penalties for unlicensed operation of a specialty clinic; including specialty clinics within provisions regarding verification of licensure; amending s. 400.9935, F.S.; including specialty clinics within provisions regarding clinic responsibilities; revising the responsibilities of the medical director and the clinical director; requiring all persons providing health care services to individuals in a clinic to comply with the licensure laws and rules under which that person is licensed; requiring a specialty clinic to file an audited report with the agency no less frequently than annually; requiring a specialty clinic to maintain compliance with part XIII of ch. 400, F.S.; requiring health care clinics and specialty clinics to display signs containing certain information relating to insurance fraud; authorizing compliance inspections by the Division of Insurance Fraud; requiring clinics to allow inspection access; amending s. 400.994, F.S.; granting the agency authority to institute injunctive proceedings against a specialty clinic; amending s. 400.995, F.S.; granting the agency authority to impose administrative penalties against a specialty clinic; creating s. 400.996, F.S.; creating a process whereby the agency receives, documents, and processes complaints about specialty clinics; requiring the agency to request that complaints regarding billing fraud by a specialty clinic be made by sworn affidavit; requiring the agency to refer to the Department of Financial Services, Office of Fiscal Integrity, any sworn affidavit asserting billing fraud by a specialty clinic; requiring the department to report findings regarding billing fraud by a specialty clinic to the agency; requiring the department to refer an investigation to prosecutorial authorities and provide investigative assistance under certain circumstances; providing that it is a first-degree misdemeanor to submit an affidavit asserting billing fraud by a specialty clinic which is without any factual basis; allowing the department to conduct unannounced reviews, investigations, analyses, and audits to investigate complaints of billing fraud by a specialty clinic; authorizing the department to enter upon the premises of a specialty clinic and immediately secure copies of certain documents; requiring a specialty clinic to allow full and immediate access to the premises and records of the clinic to a department officer or employee under s. 400.996, F.S.; providing that failure to provide such access is a ground for emergency suspension of the license of the specialty clinic; permitting the agency to assess a fee against a specialty clinic equal to the cost of conducting a review, investigation, analysis, or audit performed by the agency or the department; providing that all investigators designated by the Chief Financial Officer to perform duties under part XIII of ch. 400, F.S., and certified under s. 943.1395, F.S., are law enforcement officers of the state; amending s. 456.072, F.S.; providing that intentionally placing false information in an application for a certificate of exemption from clinic licensure constitutes grounds for which disciplinary action may be taken; designating the Florida Center for Nursing as the “Florida Barbara B. Lumpkin Center for Nursing”; directing the Department of Health to erect suitable markers; providing an appropriation; providing an effective date.

By the Committees on Judiciary; Health Care; and Banking and Insurance—

CS for CS for CS for SB 2114—A bill to be entitled An act relating to motor vehicle insurance; reorganizing provisions pertaining to personal injury protection benefits under the Florida Motor Vehicle No-Fault Law for the purpose of clarifying its meaning and intent and for the purpose of better comprehension; amending s. 627.736, F.S.; providing that a self-employed injured person or an injured person owning 25 percent or more interest in an employer offer proof of income and lost wages to insurers as a condition precedent for payment; providing for a statement of earnings; requiring an insured to notify an insurer in writing of election to reserve benefits for lost wages; specifying that such notification takes priority over other claims, except specified hospital liens; providing for Medicaid benefits; requiring the Department of Health to determine by rule tests deemed not to be medically necessary; providing guidance as to criteria to be considered; providing for required payment of benefits; authorizing a parent or legal guardian of an injured minor to complete application for personal injury protection benefits; providing for changes for treatment of injured persons; providing requirements for compliance with billing procedures; specifying the time period within which a health care provider or other specified provider must submit a statement of charges; prohibiting providers from billing an injured person under specified conditions for emergency services and care; requiring insurers to provide specified documents to insureds; requiring that amounts repayable to an insurer include the statutory interest penalty; increasing the time period for an insurer to respond to a demand letter; providing requirements for the production and inspection of an injured person's medical records from a provider; providing a right of compensation to health care providers for responding to requests for information by insurers; providing for application of attorney's fees; providing that persons notifying insurers of improper billing may obtain a reward; restricting venue for any personal injury protection claim to specified jurisdictions and providing for costs of transferring venue; amending s. 316.068, F.S.; specifying information to be included in a crash report; creating a rebuttable presumption regarding the existence of passengers; specifying conditions relating to reporting passengers; amending s. 322.26, F.S.; providing an additional circumstance relating to insurance crimes for mandatory revocation of a person's driver's license; amending s. 817.234, F.S.; revising provisions specifying material omission and insurance fraud; prohibiting scheming to create documentation of a motor vehicle crash that did not occur; providing a criminal penalty; amending s. 817.2361, F.S.; providing that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; providing appropriations; authorizing positions and a salary rate; abrogating the repeal of provisions pertaining to the Florida Motor Vehicle No-Fault Law; providing an effective date.

By the Committees on Ways and Means; Health and Human Services Appropriations; Health Care; and Senator Peadar—

CS for CS for CS for SB 2176—A bill to be entitled An act relating to rural health care; amending s. 381.0405, F.S.; revising the purpose and functions of the Office of Rural Health in the Department of Health; requiring the Secretary of Health and the Secretary of Health Care Administration to appoint an advisory council to advise the Office of Rural Health; providing for terms of office of the members of the advisory council; authorizing per diem and travel reimbursement for members of the advisory council; requiring the Office of Rural Health to submit an annual report to the Governor and the Legislature; amending s. 381.0406, F.S.; revising legislative findings and intent with respect to rural health networks; redefining the term "rural health network"; establishing requirements for membership in rural health networks; adding functions for the rural health networks; revising requirements for the governance and organization of rural health networks; revising the services to be provided by provider members of rural health networks; requiring coordination among rural health networks and area health education centers, health planning councils, and regional education consortia; establishing requirements for funding rural health networks; establishing performance standards for rural health networks; establishing requirements for the receipt of grant funding; requiring the Office of Rural Health to monitor rural health networks; authorizing the Department of Health to establish rules governing rural health network grant programs and performance standards; amending s. 395.602, F.S.; defining the term "critical access hospital"; deleting the definitions of "emergency care hospital," and "essential access community hospital";

revising the definition of "rural primary care hospital"; amending s. 395.603, F.S.; deleting a requirement that the Agency for Health Care Administration adopt a rule relating to deactivation of rural hospital beds under certain circumstances; requiring that critical access hospitals and rural primary care hospitals maintain a certain number of actively licensed beds; amending s. 395.604, F.S.; removing emergency care hospitals and essential access community hospitals from certain licensure requirements; specifying certain special conditions for rural primary care hospitals; amending s. 395.6061, F.S.; specifying the purposes of rural hospital capital improvement grants; modifying the conditions for receiving a grant; authorizing the Department of Health to award grants for remaining funds to financially distressed rural hospitals; requiring a financially distressed rural hospital to be bound by certain terms of a participation agreement in order to receive remaining funds; amending s. 409.908, F.S.; requiring the Agency for Health Care Administration to pay certain physicians a bonus for Medicaid physician services provided within a rural county; amending ss. 408.07, 409.9116, and 1009.65, F.S.; conforming cross-references; requiring the Office of Program Policy Analysis and Government Accountability to contract for a study of the financing options for replacing or changing the use of certain rural hospitals; requiring a report to the Legislature by a specified date; repealing s. 395.605, F.S., relating to the licensure of emergency care hospitals; providing appropriations; providing an effective date.

By the Committee on Banking and Insurance; and Senators Atwater, Rich and Lawson—

CS for SB 2178—A bill to be entitled An act relating to dental hygienists; creating s. 466.0241, F.S.; authorizing a dental hygienist to complete dental charting in certain public or private facilities; requiring a person who receives a dental charting to acknowledge a written disclosure; providing for the contents of the written disclosure; defining the term "dental charting"; requiring the Board of Dentistry to approve the content of the charting and disclosure forms; requiring a medical clearance by a physician or dentist when a certain dental instrument is used; providing that the act does not authorize direct reimbursement by certain insurers for dental charting; requiring referrals to be in conformance with state and federal laws; providing that a dental hygienist who performs dental charting does not create a patient of record; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Campbell—

CS for SB 2182—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for the member; increasing a contribution rate for certain benefit change funding purposes; directing the Division of Statutory Revision to adjust contribution rates set forth in s. 121.71, F.S.; providing a declaration of important state interest; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Judiciary; Commerce and Consumer Services; and Senator Campbell—

CS for CS for CS for SB 2186—A bill to be entitled An act relating to trademarks; creating s. 495.001, F.S.; providing a short title; amending s. 495.011, F.S.; providing definitions; amending s. 495.021, F.S.; precluding registration of certain marks; repealing s. 495.027, F.S., relating to reservation of a mark; amending s. 495.031, F.S.; providing requirements for information to be contained in an application for registration of a mark; authorizing the Department of State to require certain information in an application; requiring that the application be signed and verified by any of certain persons; requiring that the application be accompanied by three specimens showing the mark; requiring that the application be accompanied by a fee; creating s. 495.035, F.S.; providing filing guidelines for applications; providing for disclaimers of unregistr-

able components; providing for amendment and judicial review; providing for priority of registrations; amending s. 495.041, F.S.; providing that first use shall inure to the benefit of the registrant or applicant under certain circumstances; amending s. 495.061, F.S.; providing for the issuance of a certificate of registration by the department; removing a provision relating to reservation of a mark; amending s. 495.071, F.S.; providing guidelines for the renewal of marks; revising duration of effectiveness of a registration; amending s. 495.081, F.S.; providing for the assignability of marks; authorizing a photocopy of an assignment to be acceptable for recording; providing for change of name certificates for registrants; authorizing recordation of certain instruments; providing acknowledgment of recording as prima facie evidence of the execution of an assignment or other instrument; specifying requirements for creation and perfection of security interests in marks; amending s. 495.091, F.S.; requiring the department to record all marks registered with the state; amending s. 495.101, F.S.; requiring the department to cancel certain marks; amending s. 495.111, F.S., which establishes a classification of goods and services; providing that a single application for registration of a mark may include any or all goods upon which, or services with which, the mark is actually being used as comprised in one or more of the classes listed; amending s. 495.131, F.S.; revising infringement provisions to include an element of lack of consent by the registrant; conforming language; amending s. 495.141, F.S.; providing additional remedies for the unauthorized use of a mark; creating s. 495.145, F.S.; providing a forum for actions regarding registration; providing for service of process on nonresident registrants; amending s. 495.151, F.S.; providing for an injunction in cases of dilution of a famous mark; providing factors to be considered in determining that a mark is famous; providing damages in certain circumstances of dilution; amending s. 495.161, F.S.; deleting language relating to the diminishing of certain common law rights; amending s. 495.171, F.S.; providing effective date of changes to ch. 495, F.S., as amended by the act; providing for repeal of conflicting acts; providing application to pending actions; amending s. 495.181, F.S.; providing construction and legislative intent; creating s. 495.191, F.S.; providing certain fees; repealing s. 506.06, F.S., relating to unlawful to counterfeit trademark, to conform; repealing s. 506.07, F.S., relating to filing of trademark or other form of advertisement for record with Department of State, to conform; repealing s. 506.08, F.S., relating to fee for filing, to conform; repealing s. 506.09, F.S., relating to civil remedies, to conform; repealing s. 506.11, F.S., relating to unlawful use of trademark, to conform; repealing s. 506.12, F.S., relating to procuring the filing of trademark or other form of advertisement by fraudulent representations, to conform; repealing s. 506.13, F.S., relating to using the name or seal of another, to conform; providing an effective date.

By the Committees on Criminal Justice; Environmental Preservation; and Senator Baker—

CS for CS for SB 2202—A bill to be entitled An act relating to fish and wildlife; amending s. 370.01, F.S.; defining the term “commercial harvester”; amending s. 370.021, F.S.; providing for base penalties; conforming penalty provisions for commercial harvesters; providing penalties for persons other than commercial harvesters; conforming provisions relating to the spiny lobster; amending s. 370.028, F.S.; conforming penalty provisions; amending s. 370.061, F.S.; correcting a cross-reference; amending ss. 370.063, 370.08, 370.081, 370.1105, 370.1121, 370.13, 370.135, 370.14, and 370.142, F.S.; conforming penalty provisions for commercial harvesters; providing penalties for persons other than commercial harvesters; conforming provisions relating to the spiny lobster; deleting obsolete provisions; amending s. 372.562, F.S.; conforming a provision providing an exemption from fees and requirements; amending s. 372.57, F.S.; specifying seasonal recreational activities for which a license or permit is required; increasing fees for certain licenses to conform; providing a fee for a crossbow season permit; providing for crossbow season permits; providing penalties for the production, possession, and use of fraudulent fishing and hunting licenses; providing penalties for the taking of game and fish with a suspended or revoked license; conforming provisions relating to the spiny lobster; amending s. 372.5704, F.S.; conforming penalty provisions; amending ss. 372.571 and 372.573, F.S.; correcting cross-references; amending s. 372.5717, F.S.; authorizing the Fish and Wildlife Conservation Commission to defer the hunter safety education course requirement for a specified time period and for a specified number of times; providing for a special authorization and conditions to hunt using a hunter safety education deferral; deleting the mandatory minimum number of instructional hours for persons required to take the hunter safety education course; providing

an exemption for the display of hunter safety education certificates; providing penalties; amending s. 372.83, F.S.; revising the penalties for violations of rules, orders, and regulations of the Fish and Wildlife Conservation Commission; creating penalties for recreational violations of certain saltwater fishing regulations established in ch. 370, F.S.; providing for court appearances in certain circumstances; providing for Level One, Level Two, Level Three, and Level Four offenses; providing for enhanced penalties for multiple violations; providing for suspension and revocation of licenses and permits, including exemptions from licensing and permit requirements; defining the term “conviction” for purposes of penalty provisions; creating s. 372.935, F.S.; providing penalties for violations involving captive wildlife and poisonous or venomous reptiles; specifying violations that constitute noncriminal infractions or second-degree misdemeanors; amending ss. 372.26, 372.265, 372.661, 372.662, 372.667, 372.705, 372.988, 372.99022, 372.99, and 372.9903, F.S.; conforming penalty provisions; amending s. 921.0022, F.S.; deleting certain Level One offense designations; creating s. 372.831, F.S.; creating the Wildlife Violators Compact; providing findings and purposes; providing definitions; providing procedures for states issuing citations for wildlife violations; providing requirements for the home state of a violator; providing for reciprocal recognition of a license suspension; providing procedures for administering the compact; providing for entry into and withdrawal from the compact; providing for construction of the compact and for severability; creating s. 372.8311, F.S.; providing for enforcement of the compact by the Fish and Wildlife Conservation Commission; providing that actions committed or omitted by the Fish and Wildlife Conservation Commission in enforcing the compact are subject to review under ch. 120, F.S.; requiring that the Fish and Wildlife Conservation Commission update the automated licensing system by August 1, 2006; repealing s. 372.711, F.S., relating to noncriminal infractions; repealing s. 372.912, F.S.; relating to poisonous or venomous reptile hunts; providing an effective date.

By the Committee on Regulated Industries; and Senators Lawson, Bennett, Jones, Aronberg and King—

CS for SB 2218—A bill to be entitled An act relating to local occupational license taxes; amending ch. 205, F.S., consisting of ss. 205.013-205.1973, F.S.; changing the term “local occupational license tax” to “local business tax”; defining the term “receipt” as it relates to business taxes; amending provisions to conform; providing an effective date.

By the Committee on Health Care; and Senator Peaden—

CS for SB 2224—A bill to be entitled An act relating to clandestine laboratory contamination; amending s. 893.02, F.S.; providing definitions; creating s. 893.121, F.S.; providing for quarantine of any residential property where illegal clandestine laboratory activities occurred; providing for establishment of a uniform notice and a uniform letter of notification; providing for posting of specified notice at the site of a quarantine; providing requirements for the sending of a specified letter of notification to a residential property owner or manager; providing for petitions by certain persons in circuit court to lift such quarantines under certain conditions; prohibiting specified violations relating to such quarantines; creating s. 893.122, F.S.; permitting demolition of quarantined residential property under certain conditions; providing immunity from health-based civil actions for residential property owners who have met specified clandestine laboratory decontamination standards as evidenced by specified documentation; providing an exception to such immunity for persons convicted of manufacturing controlled substances at the site; creating s. 893.123, F.S.; providing for rulemaking to adopt clandestine laboratory decontamination standards; providing for certificates of fitness to indicate that decontamination has been completed; providing requirements for the lifting of a quarantine upon demolition of the property; creating s. 893.124, F.S.; requiring the Department of Health to specify requirements for persons authorized to perform decontamination and contamination assessments; requiring the department to compile and maintain lists of decontamination and contamination assessment specialists; providing responsibilities for decontamination specialists; permitting decontamination and contamination assessment specialists to request specified documents; providing for the issuance of certificates of fitness by contamination assessment specialists; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; providing an effective date.

By the Committee on Criminal Justice; and Senator Lawson—

CS for SB 2246—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021 and 121.0515, F.S.; providing membership in the Special Risk Class for persons employed by the Department of Corrections, the Agency for Persons with Disabilities, or the Department of Children and Family Services as certain treatment and rehabilitation personnel; providing an effective date.

By the Committees on Ethics and Elections; Education; and Senator Webster—

CS for CS for SB 2252—A bill to be entitled An act relating to district school boards; providing legislative findings; creating s. 1001.364, F.S.; providing for an alternate procedure for the election of a district school board chair in any school district that does not have a district school board member elected at large; requiring a referendum and providing requirements for submitting such referendum to the electors; creating s. 1001.365, F.S.; providing for resolution of a tie vote by the district school board chair and district school board members; amending s. 1001.371, F.S., relating to organization of district school boards, to conform; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

CS for SB 2292—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; exempting from public-records requirements biometric identification information held by an agency before, on, or after the effective date of the exemption; providing a definition; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committee on Transportation; and Senator Wise—

CS for SB 2296—A bill to be entitled An act relating to driving and boating under the influence; amending s. 316.193, F.S.; providing for applicability of sanctions; requiring a specified period of imprisonment for a fourth or subsequent conviction of driving under the influence; prohibiting substitution of treatment alternatives in certain circumstances; requiring impoundment or immobilization of all vehicles owned by the defendant for a specified period; providing for dismissal of an impoundment order; requiring records of judgments of guilty to include fingerprints and social security numbers; amending s. 327.35, F.S.; requiring a specified period of imprisonment for a fourth or subsequent conviction of boating under the influence; prohibiting substitution of treatment alternatives in certain circumstances; requiring impoundment or immobilization of the vessel operated by or in the actual control of the defendant or any one vehicle registered in the defendant's name at the time of impoundment or immobilization for a specified period; providing for dismissal of an order of impoundment or immobilization under certain circumstances upon request of an owner who was not operating the vessel; providing for dismissal of an impoundment order; requiring records of judgments of guilty to include fingerprints and social security numbers; providing applicability; providing an effective date.

By the Committees on Government Efficiency Appropriations; Community Affairs; and Senator Sebesta—

CS for CS for SB 2312—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; redesignating the charter county transit system surtax as the charter county transportation system surtax; providing that the proposal to adopt such a discretionary sales surtax and create a trust fund may be placed on the ballot pursuant to an initiative petition if the county charter so provides; providing additional purposes for which the proceeds from the surtax may be used; removing a prohibition against the issuance, by a school district, county, or municipality, of more than one bond each year pledging proceeds of certain discretionary taxes; authorizing the governing body of certain counties to levy a voter-approved indigent care surtax; providing conditions; prescribing the maximum rate of the surtax; prescribing the

maximum rate of a combination of discretionary sales surtaxes; allowing counties that are not charter counties to levy, by ordinance, a county transportation system surtax; requiring that a discretionary sales surtax that is to be adopted by referendum be placed on the ballot at a time set at the discretion of the governing body of a county; requiring that the proceeds from a surtax be distributed to a county and to each municipality within the county according to an interlocal agreement or an apportionment factor; providing that the proceeds from the surtax be used for certain purposes as considered appropriate by the county commission; providing an effective date.

By the Committees on Criminal Justice; Judiciary; and Senator Baker—

CS for CS for SB 2356—A bill to be entitled An act relating to controlled substances; amending s. 39.301, F.S.; requiring the Department of Children and Family Services to file a petition for dependency for the children of parents involved in certain controlled substance crimes; amending s. 893.13, F.S.; revising provisions relating to criminal penalties for controlled substance violations that result in serious injury to specified individuals; creating s. 627.4107, F.S.; prohibiting cancellation of life or health insurance policies or certificates of specified local, state, or federal employees due to exposure to toxic chemicals or due to disease or injury incurred in their duties related to controlled substance law violations committed by others; clarifying that cancellation or non-renewal otherwise authorized under the Florida Insurance Code for circumstances involving fraud or intentional misrepresentation is not prohibited; providing penalties; amending s. 907.041, F.S.; revising a definition; revising provisions relating to pretrial release of certain defendants charged with certain controlled substance offenses; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; providing an effective date.

By the Committee on Children and Families; and Senator Atwater—

CS for SB 2360—A bill to be entitled An act relating to child abuse; requiring the Office of Program Policy Analysis and Government Accountability to evaluate compliance with continuing education requirements for professionals who are required to provide their names when reporting child abuse, neglect, or abandonment; providing for a report to the Governor and the Legislature; requiring the Department of Health to make available a curriculum; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Government Efficiency Appropriations; and Senator Dockery—

CS for CS for SB 2384—A bill to be entitled An act relating to the Department of State; amending s. 265.285, F.S.; clarifying terms of appointment to the Florida Arts Council; removing obsolete provisions; amending s. 265.606, F.S.; deleting a requirement for local sponsoring organizations to submit an annual postaudit to the Division of Cultural Affairs under certain circumstances; requiring the state's matching share of cultural endowment to be returned to the state and deposited into the Florida Fine Arts Trust Fund rather than the General Revenue Fund under certain circumstances; providing for distribution of reverted funds; requiring the authority to disburse funds to be subject to certain notice and review procedures; providing for the reversion of returned funds to the General Revenue Fund under certain circumstances; amending s. 267.174, F.S.; changing the dates for the first meeting of the Discovery of Florida Quincentennial Commemoration Commission, the completion of the initial draft of a specified master plan, and the submission of the completed master plan; amending s. 272.129, F.S.; transferring responsibility for the Florida Historic Capitol from the Department of State to the Legislature; providing for allocation of certain space for preservation, museum, and cultural programs of the Legislature; requiring the maintenance of the Florida Historic Capitol pursuant to certain historic preservation standards and guidelines; removing responsibility of the Department of Management Services for security of the Historic Capitol and adjacent grounds; amending s. 272.135, F.S.; requiring the Capitol Curator to be appointed by the President of the Senate and the Speaker of the House of Representatives; deleting rulemaking authority

of the Department of State, to conform; amending s. 607.193, F.S.; correcting references to repealed sections of the Florida Statutes within provisions relating to the annual supplemental corporate fee imposed on each business entity authorized to transact business in this state; amending s. 257.05, F.S.; requiring that each state official, agency, board, and court provide to the Division of Library and Information Services of the Department of State an annual list of public documents issued by the official, agency, board, or court; amending s. 283.31, F.S.; defining the term "publication" for purposes of a requirement that an executive agency maintain records of certain publication costs; amending s. 283.55, F.S.; revising the form used by each state agency for the purpose of purging publication mailing lists; providing an effective date.

By the Committee on Education; and Senator Webster—

CS for SB 2406—A bill to be entitled An act relating to trust funds; creating s. 220.7015, F.S.; creating the Corporate Income Tax Trust Fund within the Department of Revenue; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Campbell—

CS for SB 2468—A bill to be entitled An act relating to driving under the influence; providing a short title; amending s. 316.193, F.S.; providing that, if a person drives under the influence of alcohol or a specified chemical or controlled substance and causes damage to property or person, serious bodily injury, or death to another human being or unborn quick child, a rebuttable presumption is created that the person caused or contributed to causing damage to property or person, serious bodily injury, or death to another human being or unborn quick child; amending s. 782.071, F.S.; providing that, if a person drives under the influence of alcohol or a specified chemical or controlled substance, a rebuttable presumption is created that the person operated a motor vehicle in a reckless manner likely to cause death or great bodily harm to another human being; providing an effective date.

By the Committees on Education; Children and Families; and Senators Peadar, Rich and Lynn—

CS for CS for SB 2470—A bill to be entitled An act relating to the welfare of children; amending s. 39.001, F.S.; providing additional purposes of ch. 39, F.S.; revising legislative intent; creating the Office of Child Abuse Prevention within the Executive Office of the Governor; directing the Governor to appoint a director of the office; providing duties and responsibilities of the director; providing procedures for evaluation of child abuse prevention programs; requiring a report to the Governor, Legislature, secretaries of certain state agencies, and certain committees of the Legislature; providing for information to be included in the report; providing for the development and implementation of a state plan for the coordination of child abuse prevention programs and services; establishing a Child Abuse Prevention Advisory Council; providing for membership, duties, and responsibilities; requiring requests for funding to be based on the state plan; providing for review and revision of the state plan; granting rulemaking authority to the Executive Office of the Governor; requiring the Legislature to evaluate the office by a specified date; amending s. 39.0014, F.S.; providing responsibilities of the office under ch. 39, F.S.; amending s. 39.01, F.S.; providing and revising definitions; amending s. 39.202, F.S.; providing access to records for agencies that provide early intervention and prevention services; amending ss. 39.0015 and 39.302, F.S.; conforming cross-references; amending s. 402.164, F.S.; establishing legislative intent for the statewide and local advocacy councils; amending s. 402.165, F.S.; providing guidelines for selection of the executive director of the Florida Statewide Advocacy Council; establishing a process for investigating reports of abuse; revising council meeting requirements; providing requirements for interagency agreements; requiring interagency agreements to be renewed annually and submitted to the Governor by a specified date; amending s. 409.1451, F.S., relating to independent living transition services; revising eligibility requirements for certain young adults; revising duties of the Department of Children and Family Services regarding independent living transition services; including additional parties in the review of a child's academic performance; requiring

the department or a community-based care lead agency under contract with the department to develop a plan for delivery of such services; revising provisions governing life skills services; requiring that the department or provider work with the child to develop a joint transition plan; requiring judicial review of the plan; requiring additional aftercare support services; providing additional qualifications to receive an award under the Road-to-Independence Program; providing procedures for the payment of awards; requiring a community-based care lead agency to develop a plan for purchase and delivery of such services and requiring department approval prior to implementation; requiring the department to submit a report annually to the Legislature on performance, oversight, and rule development; permitting the Independent Living Services Advisory Council to have access to certain data held by the department and certain agencies; amending s. 409.175, F.S.; revising the definition of the term "boarding school" to require such schools to meet certain standards within a specified timeframe; amending ss. 39.013 and 1009.25, F.S.; conforming references to changes made by the act; amending s. 39.701, F.S.; requiring the court to issue an order, separate from any other judicial review order, that the disabilities of nonage of the youth have been removed from the youth in foster care so that the youth may lease residential property; creating s. 743.045, F.S.; removing the disability of nonage for certain youth in the legal custody of the Department of Children and Family Services who are in foster care to enable the youth to execute a contract for the lease of residential property in order that the youth may move into the leased residential property on the day of the youth's 18th birthday; providing specified eligibility criteria; providing for the validity of the contracts; requiring the youth to present an order from a court of competent jurisdiction removing the disability of nonage; amending s. 409.903, F.S.; providing eligibility criteria for certain persons for medical assistance payments; providing an effective date.

By the Committee on Environmental Preservation; and Senator Dockery—

CS for SB 2478—A bill to be entitled An act relating to solar energy; creating s. 377.707, F.S.; creating the Florida Solar Energy Incentives Program; providing definitions; providing for a continuing appropriation to support solar energy product development and fund incentive programs; providing rebates for the installation of certain solar energy systems on commercial and residential buildings; providing eligibility requirements; providing rebate amounts; directing the Florida Public Service Commission to adopt rules; requiring the Florida Solar Energy Center to certify the performance of certain solar equipment; providing an effective date.

By the Committee on Environmental Preservation; and Senator Haridopolos—

CS for SB 2510—A bill to be entitled An act relating to the Florida Incentive-based Permitting Act; creating s. 403.0874, F.S.; providing a short title; providing legislative findings; providing purposes; providing definitions; providing for an Incentive-based Permitting Program; providing compliance incentives for certain environmental permitting activities; providing requirements and limitations; providing for administration by the Department of Environmental Protection; requiring the department to adopt certain rules; amending ss. 161.041 and 373.413, F.S.; specifying application of Incentive-based Permitting Program provisions; amending s. 403.087, F.S.; revising criteria for department permit issuance to conform; specifying application of the provisions of the Incentive-based Permitting Program to certain permits; providing an effective date.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SB 2522—A bill to be entitled An act relating to insurance; amending s. 624.605, F.S.; defining insurance for debt cancellation products for purposes of the Florida Insurance Code; providing that debt cancellation products offered by financial institutions do not constitute insurance for purposes of the insurance code; amending ss. 627.553 and 627.679, F.S.; revising limitations on certain amounts of life insurance

on a debtor; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; providing an effective date.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SB 2526—A bill to be entitled An act relating to insurance agents; amending s. 626.171, F.S.; providing additional requirements for applications for certain licenses; requiring applicants to submit fingerprints and pay a processing fee; providing for fingerprints to be taken by a designated examination center; requiring the Department of Financial Services to require designated examination centers to have certain equipment; prohibiting the department from approving licensure applications without submitted fingerprints; amending s. 626.211, F.S.; deleting a prohibition against the department denying, delaying, or withholding approval of applications lacking a criminal history report; revising circumstances under which the department must notify an applicant about examinations; amending s. 626.221, F.S.; expanding the authorized adjuster designations for exemptions from adjuster license examinations; amending s. 626.231, F.S.; providing authorization and procedures for applying on the department's Internet website to take a licensure examination prior to applying for licensure; specifying required application information; requiring an application disclosure statement; requiring payment of an examination fee with an application; amending s. 626.241, F.S.; providing for application of certain examination provisions to certain persons; creating s. 626.2415, F.S.; requiring the department to annually prepare, publicly announce, and publish reports of certain examination statistical information; providing report requirements; authorizing the department to provide certain contracted testing service providers with certain demographic application information under certain circumstances; amending s. 626.251, F.S.; requiring the department to provide certain information to examination applicants; amending s. 626.261, F.S.; requiring examination applicants to personally take the examination; amending s. 626.281, F.S.; applying reexamination provisions to examination applicants; amending s. 626.291, F.S.; requiring the department to issue a license for certain applicants after the department approves the application; specifying a period of validity of a passing examination grade; prohibiting the department from issuing a license based on an examination taken more than 1 year prior to filing an application; providing appropriations; authorizing additional positions; providing effective dates.

By the Committee on Education; and Senator Saunders—

CS for SB 2556—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; authorizing district school boards to reemploy retired members of the system as instructional personnel after 1 month's retirement in the capacity of student personnel service staff, librarian/media specialist, or other instructional staff; authorizing the Board of Trustees of the Florida School for the Deaf and the Blind to reemploy retired members of the system as instructional personnel after 1 month's retirement as instructional personnel in the capacity of classroom teacher, student personnel service staff, librarian/media specialist, or other instructional staff; providing an effective date.

By the Committees on Judiciary; Regulated Industries; and Senator Bennett—

CS for CS for SB 2590—A bill to be entitled An act relating to contracting; amending ss. 489.128 and 489.532, F.S.; providing that a business organization or an individual entering into a construction contract is not deemed unlicensed under certain conditions; providing for retroactive application; amending s. 489.503, F.S.; revising exemptions for certain owners of property from certain contracting provisions; increasing maximum construction costs allowed for exemption; requiring owners of property to satisfy certain local permitting agency requirements; providing for penalties; providing an exemption for owners of property damaged by certain natural causes; amending s. 489.505; defining a term; amending s. 489.516, F.S.; providing that certain specified contractors are exempt from any local law, ordinance, or code that requires a contractor to be either listed or placarded by a nationally recognized testing laboratory or certified by any regionally or nationally recognized certification organization; providing that a contract for the pur-

chase of goods or services may not contain a clause that conditions payment for the goods or services on the receipt of payment from another person; providing an effective date.

By the Committee on Education; and Senators Wise, Campbell, Rich and Wilson—

CS for SB 2592—A bill to be entitled An act relating to interpreters for the deaf and hard of hearing; amending 20.165, F.S.; including the Board of Interpreters for the Deaf and Blind to the list of boards under the Department of Business and Professional Regulation; creating pt. XV of ch. 468, F.S.; creating s. 468.90, F.S.; providing definitions; creating s. 468.901, F.S.; creating the Board of Interpreters for the Deaf and Hard of Hearing under the Department of Business and Professional Regulation; providing for appointment, qualifications, and terms of board members; creating s. 468.902, F.S.; providing for board headquarters; creating s. 468.903, F.S.; requiring certain persons to be licensed or hold a permit to practice; creating s. 468.904, F.S.; providing for license and permit application and renewal, reinstatement, extension, suspension, and revocation; providing rulemaking authority; creating s. 468.905, F.S.; providing for application, examination, license, and permit fees; creating s. 468.906, F.S.; providing restrictions on and qualifications for licensure and permit holding; providing for licensure and permit types; creating s. 468.907, F.S.; providing for surrender or seizure of suspended or revoked licenses and permits; requiring payment of certain fee upon reinstatement; prohibiting practice under certain circumstances; creating s. 468.908, F.S.; providing requirements for inactive status; creating s. 468.909, F.S.; providing continuing education requirements; creating s. 468.910, F.S.; providing requirements for submitting certain complaints; requiring the board to compile certain complaint data; providing that disciplinary proceedings shall be conducted under s. 456.073, F.S.; providing grounds for board recommendation of revocation or suspension of license or permit or other disciplinary action; creating s. 468.911, F.S.; providing exemptions from regulation under the part; creating s. 468.912, F.S.; prohibiting certain acts; providing penalties; creating s. 468.913, F.S.; establishing privilege for certain conversations; providing for voluntary disclosure of certain privileged conversations; creating s. 468.914, F.S.; providing rulemaking authority; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Posey—

CS for SB 2612—A bill to be entitled An act relating to public records; creating s. 112.3153, F.S.; creating an exemption from public-records requirements for user identification and passwords held by the Commission on Ethics pursuant to s. 112.3152, F.S.; creating an exemption from public-records requirements for statements, records, reports, and files stored in the commission's electronic filing system pursuant to s. 112.3152, F.S.; providing for expiration of the exemption; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing findings of public necessity; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Posey—

CS for SB 2642—A bill to be entitled An act relating to disclosures by public officers and employees; creating s. 112.3152, F.S.; requiring persons who file disclosure of financial interests, gifts, and honoraria with the Commission on Ethics to do so electronically on a filing system developed by the commission; providing filing requirements; providing requirements for the system; providing for rules; amending ss. 112.3144, F.S., relating to disclosure of financial interests, and 112.3145, F.S., relating to disclosure of financial interests and clients represented before agencies; conforming those sections to changes made by the act; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Governmental Oversight and Productivity; Commerce and Consumer Services; and Senators Atwater, Crist and Lynn—

CS for CS for CS for SB 2668—A bill to be entitled An act relating to capital formation; creating s. 288.9621, F.S., the Florida Capital Formation Act; providing definitions; requiring Enterprise Florida, Inc., to organize the Florida Opportunity Fund as a wholly owned private, not-for-profit limited liability company; providing for a board of directors for the company; providing for filling vacancies on the board of directors and for terms of office; specifying duties of the company; requiring the company to select a Florida Opportunity Fund Allocation Manager; providing requirements for investments; requiring the Florida Opportunity Fund to issue an annual report to the Governor and the Legislature; providing for a transfer of nonrecurring funds from the General Revenue Fund to the Economic Development Trust Fund for subsequent investment in the Florida Opportunity Fund; providing for return of funds to the General Revenue Fund; providing for future dissolution of the company; providing an effective date.

By the Committee on Transportation; and Senator Crist—

CS for SB 2672—A bill to be entitled An act relating to driver licenses; amending s. 322.18, F.S.; limiting the duration of licenses issued to certain applicants; providing expiration, examination, and renewal requirements for driver's licenses issued to persons over a specified age; providing renewal fee waivers for certain licenses; eliminating an age requirement relating to vision tests; requiring a vision test for all renewals of a license; providing for submission of test results by a physician, ophthalmologist, or optometrist; requiring such submission prior to a licensee using certain renewal procedures; providing an effective date.

By the Committee on Education Appropriations; and Senator Haridopolos—

CS for SB 2688—A bill to be entitled An act relating to schools; amending s. 1001.42, F.S., relating to powers and duties of district school boards; revising provisions relating to required school improvement plans; revising content of such plans; requiring public hearings and analysis relating to excess paperwork and data collection; requiring district school board establishment of a task force to reduce paper and electronic reporting requirements; providing task force duties; amending s. 1002.23, F.S.; requiring school districts to include certain information concerning meningococcal disease in a parent guide; amending s. 1002.42, F.S.; requiring the governing authority of a private school to provide certain information concerning meningococcal disease to parents; amending s. 1003.415, F.S.; deleting the personalized middle school success plan; amending s. 1008.25, F.S., relating to student progression; requiring implementation of progress-monitoring plans and deleting student improvement plans; providing planning options to improve student academic achievement; deleting certain provisions relating to student remediation; amending ss. 411.227, 1002.20, 1003.51, and 1003.52, F.S.; conforming provisions; providing an effective date.

By the Committee on Children and Families; and Senator Rich—

CS for SB 2726—A bill to be entitled An act relating to court actions involving families; amending ss. 39.001, 61.001, 63.022, 68.07, 741.2902, 984.01, and 985.02, F.S., and creating ss. 88.1041, 742.016, 743.001, and 1003.20, F.S.; providing additional purposes relating to implementing a unified family court program in the circuit courts; providing legislative intent; providing an effective date.

By the Committee on Banking and Insurance; and Senator Atwater—

CS for SB 2744—A bill to be entitled An act relating to financial entities and transactions; amending s. 494.001, F.S.; defining the term “control person”; amending s. 494.0011, F.S.; authorizing the Financial Services Commission to require electronic submission of forms, documents, or fees; providing a limitation; authorizing the commission to

adopt rules accommodating a technological or financial hardship; requiring that a grant or denial of a license be in accordance with ch. 120, F.S.; amending s. 494.0016, F.S.; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; amending s. 494.0029, F.S.; requiring that certain entities that offer or conduct mortgage business training obtain a permit; providing requirements and procedures for obtaining a permit; specifying that permits are not transferable or assignable; providing for expiration and recertification of permits; authorizing permit fees; requiring that curriculum, training, and training materials be available for inspection; requiring electronic notification to the office of persons who have successfully completed certain education requirements; requiring the commission to adopt rules; amending s. 494.00295, F.S.; revising professional education provisions to apply to continuing education; providing requirements; waiving such requirements for license renewals for certain persons under certain circumstances; amending s. 494.003, F.S.; revising the list of entities exempt from certain mortgage broker licensure requirements; amending s. 494.0031, F.S.; requiring licensure of mortgage brokerage businesses; revising requirements and procedures for issuing licenses; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; specifying that certain licenses are not transferable or assignable; revising the grounds on which a license may be denied; deleting certain provisions relating to cancellation and reinstatement of licenses; amending s. 494.0032, F.S.; requiring renewal of branch office licenses with renewal of mortgage brokerage business licenses; amending s. 494.0033, F.S.; revising mortgage broker licensure requirements and procedures; authorizing the commission to prescribe additional testing fees; authorizing the commission to waive certain examination requirements under specified circumstances; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; deleting provisions relating to cancellation and reinstatement of licenses; amending s. 494.0036, F.S.; revising mortgage brokerage business branch office licensure requirements and procedures; deleting a requirement for displaying licenses; amending s. 494.0039, F.S.; deleting mortgage brokerage business change of address reporting and license display requirements; amending s. 494.004, F.S.; revising mortgage broker licensee requirements; providing requirements for acquiring a controlling interest in a licensee; providing a definition; providing duties and authority of the commission; authorizing the office to bring an administrative action under certain circumstances; amending s. 494.0041, F.S.; specifying additional grounds for taking disciplinary action; amending s. 494.006, F.S.; revising the list of entities exempt from mortgage lender licensure requirements; amending s. 494.0061, F.S.; requiring the licensure of mortgage lenders; revising mortgage lender license requirements and procedures; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; providing for commission rules; revising provisions governing grounds for imposing discipline; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to prescribe additional testing fees; revising provisions governing principal representatives; amending s. 494.0062, F.S.; requiring licensure of correspondent mortgage lenders; revising correspondent mortgage lender license requirements and procedures; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; providing educational requirements for principal representatives; revising grounds for disciplinary action; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to prescribe additional testing fees; providing for commission rules; amending s. 494.0064, F.S.; revising mortgage lender branch office licensee professional continuing education requirements; amending s. 494.0065, F.S.; revising saving clause requirements and procedures; revising the duties and authority of the office and commission; providing duties of the Department of Law Enforcement; providing for commission rules; providing requirements for education and testing for certain principal representatives and for transfer applications; authorizing the commission to prescribe additional testing fees; revising provisions governing the denial of transfers; providing personal representative designation requirements; amending s. 494.0066, F.S.; revising branch office licensure requirements; providing for commission rules; amending s. 494.0067, F.S.; deleting a license display requirement; providing information reporting requirements; providing requirements for acquiring a controlling interest in a licensee; providing a definition; providing duties and authority of the commission; authorizing the office to bring an administrative action under certain circumstances; revising professional continuing education requirements; amending s. 494.0072, F.S.; providing additional grounds for taking disciplinary action; amending s. 494.00721, F.S.; conforming cross-references; amending s.

501.137, F.S.; providing mortgage lender liability for attorney's fees and costs for certain violations; amending s. 516.01, F.S.; defining the term "control person"; amending s. 516.03, F.S.; revising requirements and procedures for issuing consumer finance loan licenses; specifying certain fees as nonrefundable; authorizing the commission to adopt rules; revising certain fee requirements; providing for technological or financial hardship exemptions under certain circumstances; amending s. 516.031, F.S.; increasing a reimbursement charge for certain investigation costs; amending s. 516.05, F.S.; revising investigation procedures; deleting provisions relating to certain fees for licenses that have been denied; providing licensee information reporting requirements; providing requirements for acquiring a controlling interest in a licensee; providing a definition; providing duties and authority of the commission and office; providing for commission rules; authorizing the office to bring an administrative action under certain circumstances; deleting provisions authorizing the office to grant temporary licenses; amending s. 516.07, F.S.; providing an additional ground for taking disciplinary action; repealing s. 516.08, F.S., relating to requirements for posting a license; amending s. 516.12, F.S.; authorizing the commission to adopt rules specifying the minimum information to be shown in a licensee's books, accounts, records, and documents and the requirements for destroying a licensee's books, accounts, records, and documents; amending s. 516.19, F.S.; correcting cross-references; amending s. 517.021, F.S.; redefining the term "branch office"; authorizing the commission to adopt rules; amending s. 517.051, F.S.; revising required accounting principles; amending s. 517.061, F.S.; revising a provision governing exempt transactions; amending s. 517.081, F.S.; revising required accounting principles; amending s. 517.12, F.S.; revising requirements and procedures for registration of dealers, associated persons, investment advisers, and branch offices; revising duties and authority of the commission and office; providing for commission rules; providing duties of the Department of Law Enforcement; revising requirements, procedures, and exemptions relating to activities of Canadian dealers and associated persons; providing for certain fees; providing that certain fees are nonrefundable; providing for the collection of fees; amending s. 517.131, F.S.; revising criteria under which recovery can be made from the Securities Guaranty Fund; authorizing the commission to adopt rules; amending s. 517.141, F.S.; revising requirements for claimant reimbursements to the fund; authorizing the commission to adopt rules; amending s. 517.161, F.S.; revising a ground for a registration adverse action; providing an additional ground; amending ss. 520.02, 520.31, and 520.61, F.S.; defining the term "control person"; amending ss. 520.03, 520.32, 520.52, and 520.63, F.S.; revising requirements and procedures for licensing motor vehicle retail installment sellers, retail installment transaction retail sellers, sales finance companies, and home improvement finance sellers; revising duties and authority of the commission and office; specifying certain fees as nonrefundable; amending s. 520.994, F.S.; revising commission authority to adopt rules to include electronic submissions; providing for accommodating a technological or financial hardship; amending s. 520.995, F.S.; providing an additional ground for taking disciplinary action; revising a provision applying disciplinary actions to certain persons; amending s. 520.997, F.S.; revising commission authority to adopt rules relating to a licensee's books, accounts, records, and documents; creating s. 520.999, F.S.; providing additional requirements of licensees in sales and finance; authorizing the office to bring an administrative action under certain circumstances; authorizing the commission to adopt rules; amending s. 537.009, F.S., relating to the Florida Title Loan Act; revising provisions relating to a licensee's books, accounts, records, and documents; amending s. 559.9232, F.S.; correcting cross-references; amending s. 560.105, F.S., relating to the Money Transmitters' Code; authorizing the commission to adopt rules for electronic submission of money transmitter licensee forms, documents, or fees; providing for exemptions due to technological or financial hardship; amending s. 560.114, F.S.; providing an additional ground for taking disciplinary action; amending s. 560.121, F.S.; authorizing the commission to adopt rules relating to a licensee's books, accounts, records, and documents; amending s. 560.126, F.S.; revising information reporting requirements; providing requirements for acquiring a controlling interest; authorizing the office to bring an administrative action under certain circumstances; authorizing the commission to adopt rules; amending s. 560.127, F.S.; revising criteria for determining control over a money transmitter; deleting provisions regulating the acquisition or purchase of a money transmitter; amending s. 560.205, F.S.; revising requirements and procedures for registering money transmitters; revising duties of the commission and office; providing duties of the Department of Law Enforcement; amending s. 560.207, F.S.; revising requirements and procedures for renewing a registration; authorizing the commission to adopt rules; providing that specified fees are nonrefundable; providing conditions for

reinstating a registration; providing an additional fee; providing for expiration of registration; amending s. 560.210, F.S.; revising required accounting principles; amending s. 560.211, F.S.; revising certain recordkeeping requirements; amending s. 560.305, F.S., relating to the Check Cashing and Foreign Currency Exchange Act; revising requirements and procedures for registration; amending s. 560.306, F.S.; revising fingerprinting requirements and procedures; providing duties of the office and Department of Law Enforcement; amending s. 560.308, F.S.; revising requirements for renewal of registration; providing for expiration of registration; providing that specified fees are nonrefundable; providing conditions for reinstatement of a registration; amending s. 560.310, F.S.; revising certain recordkeeping requirements; amending s. 560.403, F.S.; revising requirements for registration renewal notices of intent; providing that specified fees are nonrefundable; providing conditions for reinstatement of a notice of intent; amending s. 655.935, F.S.; authorizing the search of a safe-deposit box co-leased by a decedent; providing construction; amending s. 655.936, F.S.; providing for the delivery of a safe-deposit box to a court-appointed personal representative; amending s. 655.937, F.S.; revising provisions for access to safe-deposit boxes; providing a penalty; amending s. 733.6065, F.S.; revising provisions relating to the initial opening of certain safe-deposit boxes; amending s. 679.705, F.S.; extending the time that a financial statement is effective under certain circumstances; providing an appropriation; providing effective dates.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Order was filed with the Secretary:

EXECUTIVE BUSINESS

EXECUTIVE ORDER NUMBER 06-68

(Executive Order of Suspension)

WHEREAS, Christy Fitzgerald is presently serving as County Commissioner for Clay County, Florida; and

WHEREAS, Christy Fitzgerald has been indicted and arrested for official misconduct, in violation of Section 838.022(1)(c), Florida Statutes; and five counts of petit theft, one count of petit theft in violation of 812.014(2)(e), Florida Statutes, and four counts of petit theft in violation of 812.014(3)(a), Florida Statutes, and against the peace and dignity of the State of Florida; and

WHEREAS, a violation of Section 838.022, Florida Statutes, constitutes a felony of the third degree; a violation of Section 812.014(2)(e), Florida Statutes, constitutes a misdemeanor of the first degree, and a violation of Section 812.014(3)(e), Florida Statutes, constitutes a misdemeanor of the second degree; and

WHEREAS, it is in the best interests of the residents of Clay County, Florida, and the citizens of the State of Florida that Christy Fitzgerald be suspended from the public office which she now holds, upon the grounds hereinafter set forth;

NOW, THEREFORE, I, JEB BUSH, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purposes of Article IV, Section 7, Florida Constitution, and Section 112.51, Florida Statutes, state as follows:

A. Christy Fitzgerald is, and at all times material hereto was, a County Commissioner for Clay County, Florida.

B. The Office of County Commissioner is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution and Section 112.51, Florida Statutes.

C. The attached Indictment states that Christy Fitzgerald has been charged with committing official misconduct, in violation of Section 838.022(1)(c), Florida Statutes, and five counts of petit theft, one count of petit theft in violation of 812.014(2)(e), Florida Statutes, and four counts of petit theft in violation of 812.014(3)(a), Florida Statutes. A copy of the Indictment is hereby incorporated by reference as if fully set forth in this Executive Order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1. Christy Fitzgerald is hereby suspended from the public office that she now holds, to wit: County Commissioner for Clay County, Florida.

Section 2. Christy Fitzgerald is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 23rd day of March, 2006.

Jeb Bush
GOVERNOR

ATTEST:

Sue M. Cobb

SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 1221, HB 7007, HB 7009, HB 7011, HB 7013, HB 7015, HB 7027, HB 7047 and HB 7059; has passed as amended HB 21, HB 37, HB 85, HB 125, HB 175, HB 187, HB 271, HB 329, HB 567, HB 599, HB 789, HB 825, HB 1027, HB 1031, HB 1141, HB 1173, HB 1299, HB 1417, HB 1489, HB 1583, HB 7017, HB 7035, HB 7137, HB 7239 and HB 7259 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Cannon and others—

HB 1221—A bill to be entitled An act relating to district school boards; creating s. 1001.364, F.S.; providing for an alternate procedure for the election of a district school board chair in any school district that does not have a district school board member elected at large; requiring a referendum and providing requirements for submitting such referendum to the electors; creating s. 1001.365, F.S.; providing for resolution of a tie vote by the district school board chair and district school board members; amending s. 1001.371, F.S., relating to organization of district school boards, to conform; providing an effective date.

—was referred to the Committees on Education; and Ethics and Elections.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7007—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding child support services; amending s. 61.1827, F.S., which provides an exemption from public records requirements for information that reveals the identity of applicants for or recipients of child support services; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7009—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding local government managers; amending s. 119.071, F.S.; narrowing the public records exemption for personal identifying information of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district with specified duties and the spouses and children of such personnel; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7011—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding code enforcement officers; amending s. 119.071, F.S.; narrowing the public records exemption for personal identifying information of current and former code enforcement officers and the spouses and children of such officers; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7013—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding copyright of data processing software created by governmental agencies; amending s. 119.084, F.S., which authorizes an agency to acquire and hold a copyright for data processing software created by the agency and to enforce its rights pertaining to such copyright; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7015—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding archaeological sites; amending s. 267.135, F.S., which provides a public records exemption for information identifying the location of an archaeological site held by the Division of Historical Resources of the Department of State; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7027—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding long-term care facilities; amending s. 400.119, F.S., which provides exemptions from public records requirements for specified reports and notifications with respect to long-term care facilities licensed under pt. II or pt. III of ch. 400, F.S., and which provides an exemption from public meeting requirements for the meetings of an internal risk management and quality assurance committee of a long-term care facility and an exemption from public

records requirements for the records of such meetings; reorganizing provisions and making editorial changes; removing the scheduled repeal of the exemptions under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7047—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding the tobacco settlement agreement; amending s. 569.215, F.S., which provides an exemption from public records requirements for proprietary confidential business information received by the Governor, the Attorney General, or outside counsel representing the State of Florida in negotiations for settlement payments pursuant to the settlement agreement in the case of State of Florida et al. v. American Tobacco Company et al., or received by the Chief Financial Officer or the Auditor General for any purpose relating to verifying settlement payments made pursuant to the settlement agreement; clarifying the definition of “trade secrets” for purposes of the exemption; making editorial changes; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7059—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding temporary cash assistance; amending s. 414.106, F.S., which provides an exemption from public meetings requirements for that portion of a meeting held by the Department of Children and Family Services, Workforce Florida, Inc., or a regional workforce board or local committee at which personal identifying information contained in records relating to temporary cash assistance is discussed; removing the scheduled repeal of the exemption; amending s. 414.295, F.S., which provides an exemption from public records requirements for personal identifying information of a temporary cash assistance program participant, a participant’s family, or a participant’s family or household member, except for information identifying a noncustodial parent, held by the Department of Children and Family Services, the Agency for Workforce Innovation, Workforce Florida, Inc., the Department of Health, the Department of Revenue, the Department of Education, or a regional workforce board or local committee; narrowing the exemption; making editorial changes; revising provisions relating to the authorized release of such confidential and exempt information; removing superfluous language; removing the scheduled repeal of the exemption; amending s. 445.007, F.S.; removing the exemption from public meetings requirements for any meeting or portion of a meeting held by Workforce Florida, Inc., or a regional workforce board or local committee at which specified personal identifying information contained in records relating to temporary cash assistance is discussed; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

By Representative Peterman and others—

HB 21—A bill to be entitled An act relating to the social status of black men and boys; creating the Council on the Social Status of Black Men and Boys; providing for the appointment and qualification of members; providing for the appointment of members to fill vacant positions; requiring the council to make a systematic study of conditions affecting black men and boys; requiring the Office of the Attorney General to provide administrative support; requiring the council to submit an annual report to the Governor and Legislature; providing for reimbursement for per diem and travel expenses; providing that the council and any subcommittees it forms are subject to public records and meetings

requirements; providing financial disclosure requirements for council members; requiring the Attorney General to organize the initial meeting of the council; providing for the expiration of the council; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Justice Appropriations.

By Representative Adams and others—

HB 37—A bill to be entitled An act relating to security of consumer report information; creating s. 501.005, F.S.; defining “security freeze”; authorizing a consumer to place a security freeze on his or her consumer report; providing procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer report; authorizing a consumer to allow specified temporary access to his or her consumer report during a security freeze; providing procedures with respect to such temporary access; providing for removal of a security freeze when a consumer report was frozen due to a material misrepresentation of fact by the consumer; providing applicability; authorizing a consumer reporting agency to charge a fee to place, remove, or temporarily lift a security freeze; prohibiting a consumer reporting agency from charging a fee to specified persons; authorizing the charging of a fee for the reissuance of a personal identification number; restricting the change of specified information in a consumer report when a security freeze is in effect; specifying applicability with respect to certain consumer reporting agencies; specifying entities that are exempt from placing a security freeze on a consumer report; providing for civil remedy; providing requirements with respect to written disclosure by a consumer reporting agency of procedures and consumer rights associated with a security freeze; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Banking and Insurance.

By Representative Taylor and others—

HB 85—A bill to be entitled An act relating to assault or battery; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer or specified non-sworn law enforcement agency employee; providing applicability; providing an effective date.

—was referred to the Committees on Criminal Justice; and Justice Appropriations.

By Representative Evers and others—

HB 125—A bill to be entitled An act relating to voter registration; creating s. 97.05831, F.S.; requiring the supervisor of elections of each county to send voter registration applications to the Fish and Wildlife Commission and its subagents; amending s. 372.561, F.S.; requiring voter registration applications to be displayed at each location where hunting, fishing, or trapping licenses or permits are sold; requiring that applicants for hunting, fishing, or trapping licenses or permits be asked if they would like a voter registration application; requiring certain information to be provided when a person applies for a hunting, fishing, or trapping license or permit on the Internet; providing effective dates.

—was referred to the Committees on Environmental Preservation; Ethics and Elections; and Transportation and Economic Development Appropriations.

By Representative Adams and others—

HB 175—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 39.407, F.S.; authorizing the court to order

specified persons to submit to a substance abuse assessment or evaluation upon a showing of good cause in connection with a shelter petition or petition for dependency; amending ss. 39.507 and 39.521, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment as part of an adjudicatory order or pursuant to a disposition hearing; requiring a showing of good cause; authorizing the court to require participation in a treatment-based drug court program; authorizing the court to impose sanctions for noncompliance; amending s. 397.334, F.S.; revising legislative intent with respect to treatment-based drug court programs to reflect participation by community support agencies, the Department of Education, and other individuals; including postadjudicatory programs as part of treatment-based drug court programs; providing requirements and sanctions, including treatment by specified licensed service providers, jail-based treatment, secure detention, or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing the chief judge of each judicial circuit to appoint an advisory committee for the treatment-based drug court program; providing for membership of the committee; revising language with respect to an annual report; amending s. 910.035, F.S.; revising language with respect to conditions for the transfer of a case in the drug court treatment program to a county other than that in which the charge arose; amending ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing for application of the coordinated strategy developed by the drug court team; providing for expungement of certain records and pleas; removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Criminal Justice; and Justice Appropriations.

By Representative Porth and others—

HB 187—A bill to be entitled An act relating to lawful testing for alcohol, chemical substances, or controlled substances; amending s. 316.1932, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 316.1939, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing penalties for refusal to submit to testing; amending s. 327.352, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 327.359, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing penalties for refusal to submit to testing; providing an effective date.

—was referred to the Committees on Criminal Justice; and Transportation.

By Representative Kreegel and others—

HB 271—A bill to be entitled An act relating to arrests and arrestees; amending s. 907.04, F.S.; providing that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending disposition of the charge or until the expiration of the arrestee's original sentence of imprisonment; requiring application of specified provisions if an arrested state prisoner's presence is required in court; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Justice Appropriations.

By Representative Culp and others—

HB 329—A bill to be entitled An act relating to adult protective services; amending s. 415.102, F.S.; redefining the term "abuse" to include actions by a relative or a household member which are likely to harm a vulnerable adult; redefining the term "neglect" to include actions of a vulnerable adult against himself or herself; amending s. 415.1051, F.S.; providing for the Department of Children and Family Services to petition the court for an order authorizing the provision of protective services for a vulnerable adult in need of services; amending s. 415.107, F.S.; authorizing the Agency for Persons with Disabilities to have access to certain otherwise confidential records and reports; providing an effective date.

—was referred to the Committees on Children and Families; and Health and Human Services Appropriations.

By Representative Kyle and others—

HB 567—A bill to be entitled An act relating to notaries public; amending s. 117.05, F.S.; requiring notaries public to provide services without charge to certain persons; creating s. 117.071, F.S.; requiring notaries public to maintain a journal and to record notarial acts; providing an exception; providing requirements for journal entries; requiring retention of the journal for a specified period after the last entry and requiring certain notice upon failure to do so; providing that failure to comply with such requirements may constitute grounds for suspension or nonrenewal of the notary public commission by the Executive Office of the Governor; amending s. 117.10, F.S.; providing an exemption for certain law enforcement officers; providing an effective date.

—was referred to the Committees on Judiciary; and Governmental Oversight and Productivity.

By Representative Cannon and others—

HB 599—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; creating s. 14.31, F.S.; providing legislative findings and intent; creating the Florida Faith-based and Community-based Advisory Council within the Executive Office of the Governor for certain purposes; providing for council membership; providing for terms of members; providing for successor appointments; providing for meetings and organization of the council; specifying serving without compensation; providing for per diem and travel expenses; specifying required activities of the council; specifying restricted activities; requiring a report to the Governor and Legislature; providing for future repeal and abolition of the council; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; and Ways and Means.

By Representative Murzin and others—

HB 789—A bill to be entitled An act relating to damage prevention and safety for underground facilities; amending s. 556.101, F.S.; providing legislative intent that Sunshine State One-Call of Florida, Inc., is not required or permitted to locate or mark underground facilities; revising purposes of the Underground Facility Damage Prevention and Safety Act; amending s. 556.102, F.S.; correcting a reference; redefining the term "member operator" to remove an exception for a small municipality that elects not to participate in the notification system; amending ss. 556.103 and 556.104, F.S.; deleting provisions exempting a small city from membership in the Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring that specified information be placed in the excavation notification system; providing an exception for underwater excavations; providing that the information is valid for 30 calendar days; providing for a study of the feasibility of zones where no notification is required; requiring a report to the Legislature; requiring a notification number assigned to an excavator to be provided to a law enforcement officer, government code inspector, or code enforcement officer upon request; requiring that a member operator respond to the

system within a specified time indicating the status of its facility protection operations; requiring the corporation to establish a communication system between member operators and excavators; requiring an excavator to verify the system's positive responses before beginning excavation; requiring operators to use a specified color-code manual; amending s. 556.106, F.S.; providing that the notification system has no duty to and may not mark or locate underground facilities; providing that a person has no right of recovery against the notification system for failing to mark or locate underground facilities; providing that the system is not liable for the failure of a member operator to comply with the requirements of the act; amending s. 556.107, F.S.; correcting cross-references; providing for the distribution of civil penalties; revising procedures for disposition of citations; authorizing the corporation to retain legal counsel to represent the corporation in certain legal proceedings; amending s. 556.108, F.S.; revising provisions that exempt excavation or demolition by the owner of residential property from specified notification requirements to exclude certain property that is subdivided or to be subdivided; providing that certain excavations are exempt from mandatory location notification if mechanized equipment is not used; exempting pest control services under certain circumstances; amending s. 556.111, F.S.; providing that specified applicability provisions do not exempt a local governmental member operator from specified provisions that apply to the member operator; amending s. 337.401, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Regulated Industries; and Community Affairs.

By Representative Altman and others—

HB 825—A bill to be entitled An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for reimbursement for per diem and travel expenses; providing for meetings, procedures, and records; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Department of Financial Services Administrative Trust Fund; providing for expiration of the council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and General Government Appropriations.

By Representative Hasner and others—

HB 1027—A bill to be entitled An act relating to biomedical research; providing legislative intent; amending s. 20.435, F.S.; authorizing the use of funds in the Biomedical Research Trust Fund for the purposes of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5601, F.S.; providing for deposit of certain proceeds of the Lawton Chiles Endowment Fund into the Biomedical Research Trust Fund for purposes of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; amending s. 215.5602, F.S.; revising the membership and the method for appointing members to the Biomedical Research Advisory Council; requiring the council to award grants for cancer research through the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; providing for the repeal of the James and Esther King Biomedical Research Program; requiring the Legislature to review the program prior to the repeal; providing for transition to new appointments; amending s. 381.855, F.S.; revising the membership of the advisory council for the Florida Center for Universal Research to Eradicate Disease; providing for terms of office and the filling of vacancies; providing for officers, meetings, and procedures; providing for transition to new appointments; amending s. 381.921, F.S.; revising a goal of the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring the program to provide grants for cancer research; providing procedures for awarding cancer research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public

records and meetings; requiring an annual report; providing for the repeal of William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; requiring the Legislature to review the program prior to the repeal; amending s. 381.98, F.S.; revising the purpose, duties, and authority of the Florida Public Health Foundation, Inc.; revising the membership of the board of directors of the corporation; amending s. 430.41, F.S.; providing for the Governor to certify certain funds for a certain number of years; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s. 1004.445, F.S.; requiring certain information in the annual report; requiring an annual operating budget; providing procedures for awarding of Alzheimer's disease research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; providing for the repeal of Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; requiring the Legislature to review the center and institute prior to the repeal; providing appropriations; providing effective dates.

—was referred to the Committees on Health Care; Education; Government Efficiency Appropriations; and Health and Human Services Appropriations.

By Representative Kyle—

HB 1031—A bill to be entitled An act relating to pawnbroking; amending s. 539.001, F.S.; providing that local ordinances shall not require the payment of any fee or tax related to a pawn transaction or purchase unless authorized under the Florida Pawnbroking Act; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Community Affairs.

By Representative Stargel and others—

HB 1141—A bill to be entitled An act relating to conveyances of land; creating s. 689.072, F.S.; providing for the transfer and creation of custodial property in an individual retirement account or certain qualified plans; incorporating statutory provisions into such transfer; providing powers to the custodian or trustee of such custodial property; providing protections for persons dealing with the custodian or trustee; exempting certain transfers from specific claims; providing for the disposition of custodial property held in an account, plan or custodianship that is terminated; providing a standard of care for the custodian or trustee; providing for certain declarations to control in specific legal proceedings; providing that provisions relating to deeds under statute of uses are not applicable to a transfer by a custodian or trustee under the act; providing for liberal construction; creating s. 694.17, F.S.; providing that certain recorded instruments transferring certain interests in real property to a custodian or trustee are ratified, confirmed, and validated; specifying vesting of such interests in the custodian or trustee; specifying nonapplication of provisions relating to deeds under statute of uses; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Representative Ross and others—

HB 1173—A bill to be entitled An act relating to driver history records; creating the “Jeffrey Klapatch Act”; amending s. 322.20, F.S.; providing for the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles to implement a system that provides the parents or guardian of a minor or the adult who signed a minor's application for a driver's license with Internet access to the driver history record of the minor; providing that no fee will be charged for such access; providing for termination of such access; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

By Representative Sorensen and others—

HB 1299—A bill to be entitled An act relating to areas of critical state concern; amending s. 125.0108, F.S.; authorizing the continued levy of the tourist impact tax for a certain period in areas of critical state concern removed from designation; providing for continued levy beyond that period pursuant to referendum approval of an ordinance reauthorizing the levy; amending s. 212.055, F.S.; authorizing certain counties to continue the use of a portion of local government infrastructure surtax proceeds for certain purposes for a certain period after removal of designation of an area as an area of critical state concern; providing for continued use of a portion of such proceeds for certain purposes pursuant to ordinance; amending s. 380.0552, F.S.; providing requirements, procedures, and criteria for Administration Commission removal of designation of the Florida Keys Area as an area of critical state concern; requiring removal of the designation under certain circumstances; providing for judicial review of Administration Commission determinations; requiring review of proposed comprehensive plans and amendments to existing plans after removal of designation and providing review criteria; amending s. 380.0666, F.S.; revising the powers of a land authority in an area of critical state concern to acquire property to provide affordable housing; providing for continued power of a land authority to acquire property within an area of critical state concern removed from designation; amending s. 380.0674, F.S.; providing for the continuation of a land authority in an area of critical state concern after removal of the designation; amending s. 4, ch. 99-395, Laws of Florida; authorizing local governments in areas of critical state concern removed from designation to continue to enact ordinances relating to central sewerage systems; providing for continuation of existing state liability in certain inverse condemnation actions related to the Florida Keys Area after removal of designation; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Judiciary; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Representative Sansom and others—

HB 1417—A bill to be entitled An act relating to hospices; amending s. 400.601, F.S.; revising the definition of the term “hospice”; amending s. 400.602, F.S.; requiring that a hospice state the year of initial licensure in the state; prescribing the manner and placement of such notification; providing an exception; deleting provisions authorizing the transfer of certain hospices and the acquisition of additional licenses; amending s. 400.606, F.S.; providing that the Agency for Health Care Administration may not deny a license to applicants that fail to meet certain conditions when good cause for such failure can be demonstrated; amending s. 400.6105, F.S.; requiring a hospice to use trained volunteers and to document and report certain volunteer information; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature; providing legislative intent; requiring the Department of Elderly Affairs, in conjunction with the agency, to develop certain outcome measures; providing for adoption of national initiatives; requiring an annual report; providing for severability; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Representative Waters and others—

HB 1489—A bill to be entitled An act relating to the state’s aerospace industry; redesignating the “Florida Space Authority” as “Space Florida”; creating s. 331.3011, F.S.; providing legislative intent; amending s. 331.302, F.S.; establishing and creating Space Florida as an independent special district, a body politic and corporate, for certain purposes; providing purposes and duties and responsibilities of Space Florida; providing definitions; revising and consolidating the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; deleting authority to establish facilities and complementary activities; providing additional powers and duties of Space Florida; prohibiting Space Florida from endorsing political candidates or making campaign contributions; characterizing certain property as Space Florida territory; creating s. 331.3051, F.S.; providing

additional powers and responsibilities of Space Florida relating to the state’s aerospace industry; deleting authority to exercise eminent domain powers; requiring Space Florida to create a business plan and a marketing campaign; directing Space Florida to enter into agreements with the Department of Education, the Department of Transportation, Enterprise Florida, Inc., and Workforce Florida, Inc., for certain purposes; requiring Space Florida to coordinate its activities with federal and state agencies; amending s. 331.308, F.S.; replacing provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; providing for designation and appointment of members; providing requirements of board members; providing for terms, removal of members, and filling of vacancies; providing for board meetings; specifying service without compensation; providing for reimbursement of certain expenses; providing financial disclosure requirements; revising powers and duties of the board; amending ss. 331.301, 331.303, 331.305, 331.306, 331.309, 331.310, 331.3101, 331.311, 331.312, 331.313, 331.316, 331.317, 331.318, 331.319, 331.320, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.355, 331.360, and 331.369, F.S., to conform; amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, and 288.9415, F.S., to conform; amending s. 212.08, F.S.; revising the exemption from the sales and use tax on certain machinery and equipment; creating s. 1004.86, F.S.; requiring the Department of Education to contract for the establishment of the Florida Center for Mathematics and Science Education Research at a public or private university; specifying requirements for the center; repealing s. 331.314, F.S., relating to the exclusive authority of the Florida Space Authority to regulate spaceports; repealing s. 331.315, F.S., relating to maintenance of projects across rights-of-way; repealing s. 331.367, F.S., relating to the Spaceport Management Council; repealing s. 331.368, F.S., relating to the Florida Space Research Institute; repealing ss. 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417, and 331.419, F.S., relating to the Florida Aerospace Finance Corporation; requiring the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation to submit articles of dissolution to the Department of State by a specified date; providing that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requiring the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requiring the board of directors of Space Florida to hold its first meeting by a specified date; amending s. 228.1224, F.S.; requiring the Florida Commission on Tourism to advise and cooperate with Space Florida under certain circumstances; amending ss. 288.9015, 334.044, 445.004, and 1001.10, F.S.; requiring Enterprise Florida, Inc., the Department of Transportation, Workforce Florida, Inc., and the Commissioner of Education to enter into agreement with Space Florida for certain purposes; providing appropriations; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Education Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Representative M. Davis—

HB 1583—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; revising certain definitions; defining the term “taxing authority”; amending ss. 163.356 and 163.357, F.S.; authorizing representatives of a taxing authority or members of a taxing authority’s governing body to be members of the board of commissioners of a community redevelopment agency; amending s. 163.360, F.S.; specifying additional procedures required for adoption of community redevelopment plans by the governing body of certain counties for certain community redevelopment agencies; amending s. 163.361, F.S.; specifying additional procedures required for adoption of a modified community redevelopment plan by a governing body of certain counties for certain community redevelopment agencies; amending s. 163.370, F.S.; revising provisions relating to powers of counties, municipalities, and community redevelopment agencies; revising provisions relating to projects ineligible for increment revenues; amending s. 163.387, F.S.; revising provisions relating to redevelopment trust funds; providing limitations on the amount of tax increment contributions by a taxing authority for certain governing bodies; authorizing a community redevelopment agency to

waive certain increment payment penalties; authorizing alternate provisions in certain interlocal agreements to supersede certain provisions of law; amending s. 163.410, F.S.; providing additional requirements for requests for information relating to requests for delegation of certain powers in counties with home rule charters; providing an effective date.

—was referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

By the Committee on Governmental Operations; and Representative Rivera and others—

HB 7017—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding economic development agencies; amending s. 288.075, F.S., which provides an exemption from public records requirements for information held by an economic development agency concerning plans, intentions, or interests of a private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state; reorganizing provisions; making editorial changes; removing superfluous provisions; removing the scheduled expiration of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Operations; and Representative Rivera—

HB 7035—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding motor vehicle crash reports; amending s. 316.066, F.S., which provides an exemption from public records requirements for required motor vehicle crash reports that reveal the identity, home or employment telephone number, or home or employment address of, or other personal information concerning, parties involved in a motor vehicle crash and that are held by any agency that regularly receives or prepares information from or concerning the parties to motor vehicle crashes; reorganizing provisions; making editorial and conforming changes, and removing superfluous language; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; amending ss. 324.051 and 921.0022, F.S.; correcting cross-references; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Criminal Justice; and Representative Kravitz—

HB 7137—A bill to be entitled An act relating to drug testing within the Department of Corrections; amending s. 944.474, F.S.; authorizing the department to develop a program for testing employees who are in safety-sensitive and special risk positions for certain controlled substances based upon a reasonable suspicion; providing for the reasonable suspension to include violent acts or behavior of an employee while on or off duty; requiring the department to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Oversight and Productivity.

By the Committee on Agriculture; and Representative Poppell and others—

HB 7239—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 493.6106, F.S.; clarifying that private investigative, private security, and repossession services are licensed by the department; amending s. 493.6121, F.S.; authorizing the department to institute judicial proceedings to enforce ch. 493, F.S., or any rule or order of the department; amending s. 493.6303, F.S.;

revising the requirements for a Class “D” private security license; requiring the department to establish the number of hours of each subject area to be taught in training; providing for automatic suspension of a license upon failure to submit documentation of completing the required training; prescribing requirements and conditions for persons licensed before a certain date; providing exemptions; amending s. 501.059, F.S.; prohibiting a telephone solicitor from blocking certain information from a recipient’s caller identification service; providing an exception; authorizing a telephone solicitor to substitute certain information provided to the recipient’s caller identification service; providing a definition; prohibiting alteration of a caller’s voice during a telephonic sales call under certain circumstances and for certain purposes; amending s. 501.142, F.S.; providing that the regulation of refunds in retail sales establishments is preempted to the department; authorizing the department to adopt rules; authorizing the department to enter orders for certain violations; requiring that any moneys recovered by the department as a penalty be deposited in the General Inspection Trust Fund; authorizing a local government to impose penalties; requiring that any moneys recovered by a local government as a penalty be deposited in the appropriate local account; amending s. 506.5131, F.S.; revising provisions relating to assessment of fees, fines, and costs against the owner of a shopping cart; providing an exemption; amending s. 525.01, F.S.; defining the term “alternative fuel” for purposes of ch. 525, F.S., relating to the inspection of gasoline and oil; amending s. 527.11, F.S.; exempting the delivery of certain amounts of propane gas for use with outdoor equipment or appliances from provisions governing the delivery of liquefied petroleum gas; requiring that a person delivering liquefied petroleum gas in bulk comply with certain storage requirements; amending ss. 570.46 and 570.47, F.S.; authorizing the Division of Standards within the department to enforce ch. 527, F.S., relating to the sale of liquefied petroleum gas; amending s. 570.544, F.S.; deleting provisions requiring that an office or agency receiving a complaint file progress reports with the Division of Consumer Services within the department; repealing s. 526.3135, F.S., relating to reports by the Division of Standards, to conform to changes made by the act; amending s. 616.242, F.S.; exempting certain governmental entities from requirements that operators of amusement rides maintain specified amounts of insurance coverage; providing effective dates.

—was referred to the Committees on Commerce and Consumer Services; Communications and Public Utilities; Judiciary; and General Government Appropriations.

By the Committee on Judiciary; and Representative Simmons and others—

HB 7259—A bill to be entitled An act relating to class action lawsuits; providing requirements for capacity to file a class action; limiting actions to Florida residents; providing exceptions; eliminating private class action recovery of statutory penalties in certain actions unless actual damages are alleged and proven; providing that the Attorney General’s ability to seek statutory penalties is not affected; providing for availability of nonmonetary relief; providing no effect on class action lawsuits involving civil rights laws; providing an effective date.

—was referred to the Committee on Judiciary.

RETURNING MESSAGES—FINAL ACTION

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 264, SB 496, SB 542, CS for SB 738, CS for SB 1170 and SB 1756.

John B. Phelps, Clerk

The bills contained in the foregoing messages were ordered enrolled.

ENROLLING REPORTS

SB 542 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 26, 2006.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 21 was corrected and approved.

CO-INTRODUCERS

Senators Argenziano—CS for CS for SB 1388; Aronberg—CS for CS for CS for SB 24, CS for SB 730, CS for CS for SJR 1436, SB 2586; Bennett—SB 1728, SB 2458; Crist—CS for CS for CS for CS for SB's 114 and 444, CS for CS for SB 166, CS for SB 218, CS for SB 436, CS for SB 526, CS for SB 730, CS for CS for SB 786; CS for SB 1292, CS for SB 1342, CS for SB 1458, SB 1992; Fasano—CS for SB 132, SB 692, CS for SB 1146, CS for SB 1742, CS for SB 2300; Jones—CS for SB 286, CS for CS for SB 1980; Lawson—CS for SB 1292, CS for SB 2062; Posey—CS for SB 218; Rich—CS for SB 764, CS for SB 918; Saunders—CS for SB 208, CS for SB 1162, CS for SB 1546; Siplin—SB 308, CS for SB 482, CS for SB 678, SB 1022, SB 1422

RECESS

On motion by Senator Pruitt, the Senate recessed at 5:40 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 27 or upon call of the President.

SENATE PAGES

April 24-28, 2006

Chloe Anderson, Tallahassee; Demi Busatta, Cape Coral; Garrett Carlson, Melbourne; Eileen Cowdery, Winter Springs; Amanda Fields, Bushnell; Britney French, Tallahassee; Emily Hinely, Longwood; Samantha "Sam" Hoffman, Homosassa; Keon Hogan, Tallahassee; Arianna Knox, Quincy; Stephen McCall, Brooksville; John Noriega, Lithia; Linzee Ott, Jacksonville; Denard Ross, Miami; Paul Sellers, Tallahassee

BILL ACTION SUMMARY**WEDNESDAY, APRIL 26, 2006**

S 98 Read second time
S 100 Read second time
S 202 Read second time
S 212 Substituted HB 85; Laid on Table, refer to HB 85
S 232 Read second time; Substituted HB 187; Laid on Table, refer to HB 187
S 306 Read second time
S 360 Read third time; CS passed as amended 36-0
S 410 Read second time
S 508 Read second time
S 526 Read third time; CS passed 38-0
S 600 Substituted HB 317; Laid on Table, refer to HB 317
S 628 Read second time; Adopted
S 630 Read second time; Adopted
S 632 Read second time; Adopted
S 638 Read second time
S 646 Read third time; CS passed as amended 39-0
S 656 Read third time; Substituted HB 37; Laid on Table, refer to HB 37
S 692 Read third time; Passed as amended 40-0
S 704 Read second time
S 726 Read second time
S 730 Read second time
S 744 Read second time
S 786 Read third time; CS passed 40-0
S 876 Read third time; CS passed 39-0
S 908 Read second time
S 940 Read third time; CS passed 40-0
S 1018 Substituted HB 737; Laid on Table, refer to HB 737
S 1024 Read third time; CS passed 38-0
S 1036 Substituted HB 7015; Laid on Table, refer to HB 7015
S 1038 Substituted HB 7013; Laid on Table, refer to HB 7013
S 1074 Read third time; Passed 39-0
S 1078 Substituted HB 7007; Laid on Table, refer to HB 7007
S 1090 Read third time; CS passed 37-0
S 1112 Read third time; CS passed as amended 39-0
S 1116 Read second time; Adopted

S 1182 Substituted HB 329; Laid on Table, refer to HB 329
S 1218 Read third time; CS passed as amended 40-0
S 1232 Substituted HB 599; Laid on Table, refer to HB 599
S 1312 Read second time; Substituted HB 567; Laid on Table, refer to HB 567
S 1368 Read second time; Substituted HB 825; Laid on Table, refer to HB 825
S 1394 Read second time; Substituted HB 789; Laid on Table, refer to HB 789
S 1438 Read second time
S 1510 Read third time; CS passed 39-0
S 1528 Read second time
S 1530 Substituted HB 7047; Laid on Table, refer to HB 7047
S 1548 Read second time; Substituted HB 1417; Laid on Table, refer to HB 1417
S 1680 Read third time; CS passed 40-0
S 1736 Substituted HB 7137; Laid on Table, refer to HB 7137
S 1748 Read second time
S 1826 Read second time; Substituted HB 1027; Laid on Table, refer to HB 1027
S 1844 Substituted HB 41; Laid on Table, refer to HB 41
S 1850 Read third time; Passed as amended 40-0
S 1956 Read second time
S 2060 Read third time; CS passed 35-0
S 2146 Read second time; Adopted
S 2174 Substituted HB 1155; Laid on Table, refer to HB 1155
S 2184 Read third time; CS passed as amended 38-0
S 2242 Substituted HB 1173; Laid on Table, refer to HB 1173
S 2432 Read second time
S 2434 Read second time
S 2580 Read second time; Substituted HB 1489; Laid on Table, refer to HB 1489
S 2728 Read second time
S 2806 Read second time; Adopted
S 2836 Read second time; Adopted
S 2846 Read second time; Adopted
H 37 Substituted for CS for CS for SB 656; Read second and third times; Passed 37-0
H 41 Substituted for CS for SB 1844; Read second time
H 85 Substituted for CS for CS for SB 212; Read second time
H 121 Read third time; Passed as amended 39-0
H 187 Substituted for CS for CS for SB 232; Read second time
H 209 Read third time; Passed 31-9
H 273 Read third time; Passed 28-10
H 317 Substituted for CS for SB 600; Read second time
H 329 Substituted for CS for SB 1182; Read second time
H 567 Substituted for CS for SB 1312; Read second time
H 599 Substituted for CS for SB 1232; Read second time
H 641 Read third time; Passed 40-0
H 699 Read third time; Passed 37-0
H 737 Substituted for CS for CS for SB 1018; Read second and third times; Passed 35-0
H 789 Substituted for CS for CS for CS for SB 1394; Read second time
H 825 Substituted for CS for CS for SB 1368; Read second time
H 1027 Substituted for CS for CS for CS for SB 1826; Read second time
H 1155 Substituted for SB 2174; Read second time; Read third time; Passed 39-0
H 1173 Substituted for CS for SB 2242; Read second time; Read third time; Passed 39-0
H 1417 Substituted for CS for SB 1548; Read second time
H 1489 Substituted for CS for CS for SB 2580; Read second time
H 7007 Substituted for CS for SB 1078; Read second time
H 7013 Substituted for CS for SB 1038; Read second time
H 7015 Substituted for CS for SB 1036; Read second time
H 7023 Read third time; Passed 39-0
H 7025 Read third time; Passed 40-0
H 7033 Read third time; Passed 39-0
H 7043 Read third time; Passed 39-0
H 7045 Read third time; Passed 38-0
H 7047 Substituted for CS for SB 1530; Read second time
H 7111 Read third time; Passed 38-0
H 7113 Read third time; Passed 40-0
H 7137 Substituted for CS for CS for SB 1736; Read second time

JOURNAL OF THE SENATE

Daily Indices for April 26, 2006

NUMERIC INDEX

BA — Bill Action
BP — Bill Passed
CO — Co-Introducers
CR — Committee Report

CS — Committee Substitute, First Reading
FR — First Reading
MO — Motion

CS/CS/CS/CS/SB 24	(CO) 608	CS/SB 508	(BA) 557, (CR) 577
CS/SB 28	(CS) 581	CS/SB 518	(CS) 584
SB 28	(CR) 580	SB 518	(CR) 580
SB 84	(CR) 579	CS/SB 526	(BA) 546, (BP) 546, (CO) 608
SB 92	(CR) 579	CS/CS/SB 528, SB 530 and SB 858	(CR) 581
SJR 98	(BA) 557, (CR) 577	CS/CS/CS/SB's 528, 530 and 858	(CS) 584
CS/SB 100	(BA) 566, (CR) 577	CS/SB 600	(BA) 570, (CR) 577
CS/CS/CS/SB 114 and SB 444	(CR) 581	SJR 626	(MO) 577, (CR) 578
CS/CS/CS/CS/SB's 114 and 444	(CS) 581, (CO) 608	SR 628	(FR) 541, (BP) 542
CS/SB 120	(CS) 581	SR 630	(BP) 542, (FR) 542
SB 120	(CR) 579	SR 632	(BP) 542, (FR) 542
CS/SB 132	(CO) 608	CS/CS/CS/SB 638	(BA) 549, (CR) 577
CS/SB 144 and SB 944	(CR) 578	CS/SB 642	(CR) 579
CS/CS/CS/SB 166	(CS) 582	CS/SB 646	(BA) 544, (BA) 556, (BP) 556
CS/CS/SB 166	(CR) 581, (CO) 608	CS/CS/SB 656	(BA) 544, (BA) 577
CS/CS/SB 178	(CS) 582	SB 658	(CR) 579
CS/SB 178	(CR) 580	CS/CS/SB 660	(BA) 557, (CR) 577
SB 186	(CR) 579	CS/SB 678	(CO) 608
CS/CS/CS/SB 190	(CS) 582	SB 682	(CR) 578
CS/CS/SB 190	(CR) 581	SB 692	(BA) 555, (BP) 555, (CO) 608
CS/CS/SB 192	(CS) 583	SB 704	(BA) 570, (CR) 577, (CR) 579
CS/SB 192	(CR) 581	CS/SB 716 and SB 2660	(CR) 579
CS/SJR 194	(MO) 577	CS/CS/SB's 716 and 2660	(MO) 577, (CS) 584
SB 198	(CR) 579	CS/SB 718	(CR) 579
CS/SB 202	(BA) 569, (CR) 577	CS/SB 720	(CR) 579
CS/SB 206	(CR) 578	CS/SB 726	(BA) 570, (CR) 577
CS/CS/SB 208	(CS) 583	CS/SB 730	(BA) 571, (CR) 577, (CO) 608
CS/SB 208	(CR) 579, (CR) 581, (CO) 608	CS/SB 734	(CS) 584
CS/CS/SB 212	(BA) 557, (CR) 577	SB 734	(CR) 580
CS/SB 218	(CO) 608	CS/SB 744	(BA) 572, (BA) 574, (CR) 578, (CS) 584
CS/CS/SB 232	(BA) 571, (BA) 572, (CR) 578	SB 744	(CR) 580
CS/SB 252	(CS) 583	CS/SB 764	(CO) 608
SB 252	(CR) 580	CS/SB 784	(CS) 585
CS/CS/SB 256	(MO) 577	SB 784	(CR) 581
CS/CS/SB 278	(CS) 583	CS/CS/SB 786	(BA) 551, (BP) 551, (CO) 608
CS/SB 278	(CR) 580	CS/SB 854	(MO) 577, (CS) 585
CS/SB 286	(CR) 579, (CO) 608	SB 854	(CR) 580
CS/SB 306	(BA) 549, (CR) 577	CS/SB 876	(BA) 545, (BP) 545
SB 308	(CO) 608	CS/CS/CS/SB 888	(BA) 570, (CR) 577
CS/CS/SB 350	(CS) 583	CS/SB 890	(CR) 579
CS/SB 350	(CR) 580	CS/SB 900	(CR) 578
CS/CS/SB 360	(BA) 545, (BP) 546	CS/SB 908	(BA) 561, (CR) 577
CS/SB 382	(MO) 577	CS/SB 918	(CR) 579, (CO) 608
CS/SB 410	(BA) 561, (CR) 577	CS/CS/SB 940	(BA) 547, (BP) 547
SB 420	(CR) 579	CS/SB 956	(CS) 585
CS/SB 430	(CR) 578	SB 956	(CR) 580
CS/CS/SB 436	(CS) 583	CS/SB 962	(CR) 579
CS/SB 436	(CR) 581, (CO) 608	CS/CS/SB 980	(CS) 585
SB 468	(CR) 578	CS/SB 980	(CR) 580
CS/CS/SB 472	(MO) 577	CS/CS/SB 990	(CS) 585
CS/SB 474	(MO) 577	CS/SB 990	(CR) 579
CS/SB 476	(MO) 577	CS/CS/SB 994	(CS) 585
CS/SB 482	(CR) 579, (CS) 583, (CO) 608	CS/SB 994	(CR) 580
SB 482	(CR) 580	CS/SB 1006	(MO) 577
CS/SB 502	(CS) 583	CS/CS/SB 1008	(CS) 586
SB 502	(CR) 580	CS/SB 1008	(CR) 580
CS/SB 504	(CS) 583	CS/SB 1014	(CS) 586
SB 504	(CR) 580	SB 1014	(CR) 580

JOURNAL OF THE SENATE

CS/CS/SB 1016	(CS) 586	CS/SB 1486	(CS) 589
CS/SB 1016	(CR) 580	SB 1486	(CR) 579
CS/CS/SB 1018	(BA) 544	CS/CS/SB 1510	(BA) 550, (BP) 550
SB 1022	(CR) 578, (CO) 608	CS/SB 1512	(CS) 589
CS/SB 1024	(BA) 550, (BP) 550	SB 1512	(CR) 579
CS/CS/CS/SB 1030	(CS) 586	CS/SB 1522	(CS) 589
CS/CS/SB 1030	(CR) 580	SB 1522	(CR) 580
CS/SB 1036	(BA) 561, (CR) 577	CS/SB 1528	(BA) 568, (BA) 569, (CR) 577
CS/SB 1038	(BA) 566, (CR) 577	CS/SB 1530	(BA) 571, (CR) 578
CS/CS/CS/CS/SB 1058	(CR) 581	CS/SB 1546	(MO) 577, (CO) 608
CS/CS/CS/CS/CS/SB 1058	(CS) 586	CS/SB 1548	(BA) 569, (CR) 577
SB 1060	(CR) 579	CS/SB 1552	(CR) 579
SB 1074	(BA) 556, (BP) 556	CS/SB 1590	(CR) 579
CS/SB 1078	(BA) 570, (CR) 577	SB 1592	(MO) 577
CS/CS/SB 1090	(BA) 545, (BP) 545	CS/SB 1596	(MO) 577, (CS) 589
CS/CS/SB 1112	(BA) 545, (BA) 556, (BP) 556	SB 1596	(CR) 579
SR 1116	(BP) 542, (FR) 542	SB 1608	(CR) 579
SB 1126	(CR) 578	CS/CS/SB 1612	(CS) 590
CS/CS/SB 1132	(MO) 577	CS/SB 1612	(CR) 581
CS/SB 1136	(MO) 577, (CR) 578	CS/CS/SB 1622	(CS) 590
CS/SB 1146	(CO) 608	CS/SB 1622	(CR) 581
CS/SJR 1150	(MO) 577, (CS) 587	SM 1676	(CR) 579
SJR 1150	(CR) 580	CS/SB 1680	(BA) 544, (BA) 556, (BP) 556
CS/SJR 1158	(MO) 577, (CS) 587	SB 1698	(MO) 577
SJR 1158	(CR) 580	SB 1728	(CO) 608
CS/SB 1162	(CO) 608	CS/CS/SB 1736	(BA) 570, (CR) 577
CS/SB 1172	(CR) 579	CS/SB 1742	(CO) 608
CS/SB 1174	(CS) 587	CS/SB 1748	(BA) 575, (BA) 576, (CR) 578
SB 1174	(CR) 580	CS/CS/SB 1750	(CS) 590
CS/SB 1182	(BA) 569, (CR) 577	CS/SB 1750	(CR) 580
CS/SB 1190	(CS) 587	CS/CS/SB 1766	(CS) 590
SB 1190	(CR) 580	CS/SB 1766	(CR) 580
CS/SB 1194	(CS) 587	CS/CS/CS/SB 1798	(CS) 591
SB 1194	(CR) 580	CS/CS/SB 1798	(CR) 580
CS/CS/SB 1196	(CS) 588	CS/SB 1816	(MO) 577
CS/SB 1196	(CR) 580	CS/CS/CS/SB 1826	(BA) 557, (BA) 560, (BA) 561, (BA) 562, (CR) 577
CS/SB 1218	(BA) 551, (BP) 551	CS/SB 1832	(CR) 579
CS/SB 1232	(BA) 570, (CR) 577	SJR 1840	(MO) 577, (CR) 579
CS/SB 1292	(CR) 579, (CO) 608	CS/SB 1844	(BA) 571, (CR) 577
SB 1296	(CR) 578	SB 1850	(BA) 549, (BP) 549
CS/SB 1312	(BA) 574, (CR) 578	CS/CS/SB 1858	(CS) 591
CS/CS/SB 1320	(CS) 588	CS/SB 1858	(CR) 580
CS/SB 1320	(CR) 580	CS/SB 1872	(MO) 577
CS/CS/SB 1324	(CS) 588	CS/CS/CS/SB 1880	(CS) 591
CS/SB 1324	(CR) 580	CS/CS/SB 1880	(CR) 580
CS/SB 1330	(CR) 578	CS/SB 1888	(CR) 579
CS/SB 1338 and SB 1794	(CR) 578	CS/SJR 1918	(MO) 577, (CS) 591
CS/SB 1342	(CO) 608	SJR 1918	(CR) 580
SB 1358	(CR) 578	CS/SB 1920	(MO) 577, (CR) 578
CS/SB 1362	(MO) 577	CS/CS/SB 1924	(CS) 592
CS/SB 1366	(MO) 577	CS/SB 1924	(CR) 580
CS/CS/SB 1368	(BA) 557, (CR) 577	SB 1932	(CR) 578
SB 1376	(CR) 578	SB 1936	(CR) 579
CS/SB 1384	(CS) 588	CS/SB 1940	(CR) 579
SB 1384	(CR) 579	CS/SB 1956	(BA) 574, (CR) 578, (CS) 592
CS/CS/CS/SB 1388	(CS) 588	SB 1956	(CR) 580
CS/CS/SB 1388	(CR) 580, (CO) 608	CS/SB 1976	(CS) 592
CS/CS/CS/SB 1394	(BA) 560, (BA) 561, (CR) 577	SB 1976	(CR) 580
CS/SB 1416	(CS) 589	CS/CS/SB 1980	(CO) 608
SB 1416	(CR) 579	SB 1992	(CO) 608
SB 1422	(CO) 608	CS/CS/SB 2010	(MO) 577
CS/SB 1434	(CS) 589	CS/SB 2026	(CR) 579
SB 1434	(CR) 580	CS/SB 2036	(CR) 579
CS/CS/SJR 1436	(MO) 577, (CS) 589, (CO) 608	CS/CS/SB 2048	(CS) 592
CS/SJR 1436	(CR) 580	CS/SB 2048	(CR) 580
CS/SB 1438	(BA) 569, (BA) 570, (CR) 577	SB 2052	(CR) 578
CS/SB 1458	(CS) 589, (CO) 608	CS/CS/SB 2060	(BA) 544, (BP) 544
SB 1458	(CR) 580	CS/CS/SB 2062	(CS) 593
CS/SB 1480	(CS) 589	CS/SB 2062	(CR) 580, (CO) 608
SB 1480	(CR) 579	SB 2076	(CR) 578
SB 1484	(CR) 578		

JOURNAL OF THE SENATE

SB 2078	(CR) 578	CS/CS/SB 2470	(CS) 598
SB 2080	(CR) 578	CS/SB 2470	(CR) 580
CS/CS/SB 2084	(MO) 577, (CS) 594	CS/SB 2478	(CS) 598
CS/SB 2084	(CR) 580	SB 2478	(CR) 579
CS/SB 2096	(CR) 579	SB 2494	(CR) 578
CS/SB 2098	(CR) 579	CS/SB 2510	(CS) 598
CS/SB 2106	(CR) 578	SB 2510	(CR) 579
CS/CS/SB 2110	(CS) 594	CS/SB 2522	(CR) 579, (CS) 598
CS/SB 2110	(CR) 580	SB 2522	(CR) 580
CS/CS/CS/SB 2112	(CS) 594	CS/SB 2526	(CR) 579, (CS) 599
CS/CS/SB 2112	(CR) 580	SB 2526	(CR) 579
CS/CS/CS/SB 2114	(CS) 595	CS/SB 2538	(CR) 579
CS/CS/SB 2114	(CR) 580	SB 2554	(CR) 578
SB 2126	(CR) 579	CS/SB 2556	(CS) 599
SB 2138	(CR) 578	SB 2556	(CR) 580
SR 2146	(BP) 543, (FR) 543	SB 2564	(CR) 578
SB 2162	(CR) 578	SB 2566	(CR) 578
CS/SB 2168	(CR) 579	CS/CS/SB 2580	(BA) 566, (BA) 567, (CR) 577
SB 2174	(BA) 555	SB 2586	(CR) 578, (CO) 608
CS/CS/CS/SB 2176	(CS) 595	CS/SB 2588	(CR) 578
CS/CS/SB 2176	(CR) 581	CS/CS/SB 2590	(CS) 599
CS/SB 2178	(CS) 595	CS/SB 2590	(CR) 580
SB 2178	(CR) 580	CS/SB 2592	(CS) 599
CS/SB 2182	(CS) 595	SB 2592	(CR) 580
SB 2182	(CR) 580	CS/SB 2612	(CS) 599
CS/CS/SB 2184	(BA) 552, (BP) 554	SB 2612	(CR) 580
CS/CS/CS/SB 2186	(CS) 595	CS/SB 2616	(MO) 577
CS/CS/SB 2186	(CR) 581	SB 2622	(CR) 578
CS/CS/SB 2202	(CS) 596	SM 2626	(CR) 579
CS/SB 2202	(CR) 579	CS/SB 2642	(CS) 599
CS/SB 2214	(MO) 577	SB 2642	(CR) 580
CS/SB 2218	(CS) 596	CS/CS/SB 2656	(MO) 577
SB 2218	(CR) 579	SB 2658	(CR) 578
CS/SB 2224	(CS) 596	CS/CS/CS/SB 2668	(CS) 600
SB 2224	(CR) 579	CS/CS/SB 2668	(CR) 581
CS/SB 2230	(CR) 578	CS/SB 2672	(CS) 600
CS/SB 2242	(BA) 550	SB 2672	(CR) 579
CS/SB 2246	(CS) 597	CS/SB 2688	(CS) 600
SB 2246	(CR) 580	SB 2688	(CR) 580
CS/CS/SB 2252	(CS) 597	CS/SB 2714	(CR) 579
CS/SB 2252	(CR) 580	CS/SB 2726	(CS) 600
SB 2254	(CR) 579	SB 2726	(CR) 580
SB 2274	(CR) 578	CS/CS/SB 2728	(BA) 568, (CR) 577
SB 2288	(MO) 577	CS/SB 2744	(CR) 578, (CS) 600
CS/SB 2292	(CS) 597	SB 2744	(CR) 579
SB 2292	(CR) 580	SJR 2788	(MO) 577, (CR) 578
CS/SB 2296	(CS) 597	SR 2806	(BP) 543, (FR) 543
SB 2296	(CR) 580	SR 2836	(BP) 543, (FR) 543
CS/SB 2300	(CO) 608	SB 2838	(CR) 581
CS/CS/SB 2312	(CS) 597	SB 2840	(CR) 581
CS/SB 2312	(CR) 580	SB 2842	(CR) 581
CS/SB 2322	(MO) 577	SR 2846	(FR) 543, (BP) 544
SB 2328	(CR) 578		
CS/CS/SB 2356	(CS) 597	HB 21	(FR) 603
CS/SB 2356	(CR) 579	HB 37	(BA) 577, (BP) 577, (FR) 603
CS/SB 2358	(CR) 578	HB 41	(BA) 571
CS/SB 2360	(CS) 597	HB 85	(BA) 557, (FR) 603
SB 2360	(CR) 580	HB 121	(BA) 545, (BP) 545
CS/CS/SB 2384	(CS) 597	HB 125	(FR) 603
CS/SB 2384	(CR) 580	HB 175	(FR) 603
CS/SB 2406	(MO) 577, (CS) 598	HB 187	(BA) 571, (BA) 572, (FR) 604
SB 2406	(CR) 579	HB 209	(BA) 555, (BP) 555
CS/SB 2424	(MO) 577	HB 271	(FR) 604
CS/SB 2426	(CR) 579	HB 273	(BA) 554, (BP) 554
SB 2428	(CR) 578	HB 317	(BA) 570
CS/SB 2432	(BA) 547, (BA) 548, (BA) 549, (CR) 577	HB 329	(BA) 569, (FR) 604
SB 2434	(BA) 571, (CR) 577	HB 567	(BA) 574, (BA) 575, (FR) 604
SB 2438	(CR) 578	HB 599	(BA) 570, (BA) 571, (FR) 604
SB 2458	(CO) 608	HB 641	(BA) 555, (BP) 555
CS/SB 2468	(CS) 598	HB 699	(BA) 544, (BP) 544
SB 2468	(CR) 580	HB 737	(BA) 544, (BP) 544

JOURNAL OF THE SENATE

HB 789	(BA) 560, (BA) 561, (FR) 604	HB 7015	(BA) 561, (FR) 602
HB 825	(BA) 557, (FR) 605	HB 7017	(FR) 607
HB 1027	(BA) 562, (BP) 566, (FR) 605	HB 7023	(BA) 554, (BP) 554
HB 1031	(FR) 605	HB 7025	(BA) 554, (BP) 555
HB 1141	(FR) 605	HB 7027	(FR) 602
HB 1155	(BA) 555, (BP) 555	HB 7033	(BA) 551, (BP) 551
HB 1173	(BA) 550, (BP) 550, (FR) 605	HB 7035	(FR) 607
HB 1221	(FR) 602	HB 7043	(BA) 549, (BP) 549
HB 1299	(FR) 606	HB 7045	(BA) 551, (BP) 551
HB 1417	(BA) 569, (FR) 606	HB 7047	(BA) 571, (FR) 603
HB 1489	(BA) 567, (BA) 568, (FR) 606	HB 7059	(FR) 603
HB 1583	(FR) 606	HB 7111	(BA) 546, (BP) 546
HB 7007	(BA) 570, (FR) 602	HB 7113	(BA) 546, (BP) 547
HB 7009	(FR) 602	HB 7137	(BA) 570, (FR) 607
HB 7011	(FR) 602	HB 7239	(FR) 607
HB 7013	(BA) 566, (FR) 602	HB 7259	(FR) 607

SUBJECT INDEX

Bills on Third Reading	544, 549, 577	Motions	577
Call to Order	541, 557	Motions Relating to Committee Meetings	577
Co-Introducers	608	Motions Relating to Committee Reference	577
Committee Substitutes, First Reading	581	Point of Order	560
Enrolling Reports	607	Point of Order Ruling	562
Executive Business, Suspensions	601	Reports of Committees	577
House Messages, Final Action	607	Resolutions	541
House Messages, First Reading	602	Senate Pages	608
Introduction and Reference of Bills	581	Special Order Calendar	547, 557
Moment of Silence	544		

